

DOMESTIC
ANNALS OF SCOTLAND.



CANONGATE TOLBOOTH.

~~DOMESTIC~~ ANNALS OF SCOTLAND

From the Revolution to the Rebellion of 1745.

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PREFACE.

THE DOMESTIC ANNALS OF SCOTLAND FROM THE REFORMATION TO THE REVOLUTION having experienced a favourable reception from the public, I have been induced to add a volume containing similar details with regard to the ensuing half-century. This is in many respects an interesting period of the history of Scotland. It is essentially a time of transition—transition from harsh and despotic to constitutional government; from religious intolerance and severity of manners to milder views and the love of elegance and amusement; from pride, idleness, and poverty, to industrious courses and the development of the natural resources of the country. At the same time, the tendency to the wreaking out of the wilder passions of the individual is found gradually giving place to respect for law. We see, as it were, the dawn of our present social state, streaked with the lingering romance of earlier ages. On these considerations, I am hopeful that the present volume will be pronounced in no respect a falling off in contrast with the former two.

It will be found that the plan and manner of treatment pursued in the two earlier volumes are followed here. My object has still been to trace the moral and economic progress of Scotland through the medium of domestic incidents—whatever of the national life is overlooked in ordinary history; allowing the tale in every case to be told as much as possible in contemporary language. It is a plan necessarily subordinating the author to his subject, almost to the extent of neutralising all opinion and sentiment on his part; yet, feeling the value of the self-painting words of these dead and gone generations—so quaint, so unstudied, so true—so corrective in their genuineness of the glozing idolatries which are apt to arise among descendants and party representatives—I become easily reconciled to the restricted character of the task. If the present and future generations shall be in any measure enabled by these volumes to draw from the errors and misjudgments of the past a lesson as to what is really honourable and profitable for a people, the *tenuis labor* will not have been undergone in vain.

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DOMESTIC

ANNALS OF SCOTLAND.

REIGN OF WILLIAM AND MARY: 1689-1694.

OUR narrative takes up the political story of Scotland at the crisis of the Revolution, when, King James having fled in terror to France, his nephew and daughter, the Prince and Princess of Orange, were proclaimed king and queen as William and Mary, and when the Episcopacy established at the Restoration, after a struggling and unhonoured existence of twenty-eight years, gave way to the present more popular Presbyterian Church. It has been seen how the populace of the west rabbled out the alien clergy established among them; how, notwithstanding the gallant insurrection of my Lord Dundee in the Highlands, and the holding out of Edinburgh Castle by the Duke of Gordon, the new government quickly gained an ascendancy. It was a great change for Scotland. Men who had lately been in danger of their lives for conscience' sake, or starving in foreign lands, were now at the head of affairs—the Earl of Melville, Secretary of State; Crawford, President of Parliament; Argyle restored to title and lands, and a privy-councillor; Dalrymple of Stair, Hume of Marchmont, Steuart of Goodtrees, and many other exiles, come back from Holland to resume prominent positions in the public service at home—while the instruments of the late unhappy government were either captives under suspicion, or living terror-struck at their country-houses. Common sort of people, who had last year been skulking in mosses from Claverhouse's dragoons, were now marshalled in a regiment, and planted as a watch on the Perth and Forfar gentry. There were new figures in the Privy Council, and none of them ecclesiastical. There was a wholly new set of senators on the bench of the Court of Session. It looked like the sudden shift of scenes in a pantomime, rather than a series of ordinary occurrences.

Almost as a necessary consequence of the Revolution, a war with France commenced in May 1689. Part of the operations took place in Ireland, where James II. assisted with troops by King Louis, and supported by the Catholic population, continued to exercise sovereignty till his defeat at the Boyne (July 1, 1690). The subjugation of Ireland to the new government was not completed till the surrender of Limerick and other fortified places by treaty (October 3, 1691). Long before this time, the Jacobite movement in Scotland had come to a close by the dispersion of the Highlanders at Cromdale (April 1690). A fortress and garrison were then planted at Inverlochy (Fort William), in order to keep the ill-affected clans Cameron, Macdonald, and others, in check. At the same time, the Earl of Breadalbane was intrusted with the sum of twelve thousand pounds, with which he undertook to purchase the pacification of the Highlands. In 1691, there were still some chiefs in rebellion, and a threat was held out that they would be visited with the utmost severities if they did not take the oaths to the government before the 1st of January next. This led to the massacre of the Macdonalds of Glencoe (February 13, 1692), an affair which has left a sad shade upon the memory of King William.

In Scotland, it gradually became apparent that, though the late changes had diffused a general sense of relief, and put state control more in accordance with the feelings of the bulk of the people, there was a large enough exception to embarrass and endanger the new order of things. There certainly was a much larger minority favourable to Episcopacy than was at first supposed; whole provinces in the north, and a majority of the upper classes everywhere, continued to adhere to it. A very large portion of the nobility and gentry maintained an attachment to the ex-king, or, like the bishops, scrupled to break old oaths in order to take new. Even amongst those who had assisted in the Revolution, there were some who, either from disappointment of personal ambition, or a recovery from temporary fears, soon became its enemies. Feelings of a very natural kind assisted in keeping alive the interest of King James. It was by a nephew (and son-in-law) and a daughter that he had been displaced. A frightful calumny had assisted in his downfall. According to the ideas of that age, in losing a crown he had been deprived of a birthright. If he had been guilty of some illegal doings, there might be some consideration for his age. Anyhow, his infant son was innocent; why punish him for the acts of his father? These considerations fully appear as giving point and strength to the Jacobite feeling which soon began to take a definite form in the country. The government was thus forced into severities, which again acted to its disadvantage; and thus it happened that, for some years after the deliverance of Scotland from arbitrary power, we have to contemplate a style of administration in

which arbitrary power and all its abuses were not a little conspicuous.

In the very first session of the parliament (summer of 1689), there was a formidable opposition to the government, headed chiefly by politicians who had been disappointed of places. The discontents of these persons ripened early next year into a plot for the restoration of the ex-king. It gives a sad view of human consistency, that a leading conspirator was Sir James Montgomery of Skelmorley, who was one of the three commissioners sent by the Convention in spring to offer the crown to William and Mary. The affair ended in Montgomery, the Earl of Annandale, and Lord Ross, informing against each other, in order to escape punishment. Montgomery had to flee to the continent, where he soon after died in poverty. The offences of the rest were overlooked.

Amongst the events of this period, the ecclesiastical proceedings bear a prominent place—efforts of statesmen for moderate measures in the General Assembly—debates on church-patronage and oaths of allegiance—tramplings out of old and rebellious Episcopacy; but the details must be sought for elsewhere.¹ During 1693, there were great alarms about invasion from France, and the forcible restoration of the deposed king; and some considerable severities were consequently practised on disaffected persons. By the death of the queen (December 28, 1694), William was left in the position of sole monarch of these realms.

The first emotions of the multitude on attaining confidence that the Prince of Orange would be able to maintain his ground, and that the reigning monarch would be brought low, that the Protestant religion would be safe, and that perhaps there would be good times again for those who loved the Presbyterian cause, were, of course, very enthusiastic. So early as the close of November, the populace of Edinburgh began to call out 'No pope, No papist,' as they walked the streets, even when passing places where guards were stationed. The students, too, whose pope-burning enthusiasm had been sternly dealt with eight years back, now broke out of all bounds, and had a merry cremation of the pontiff's effigy at the cross, ending with its being 'blown up with art four stories high.' This, however, was looked upon as a hasty

1688.
Nov.

¹ A very animated review of these affairs will be found in Mr Burton's excellent *History*.

1688. business, wanting in the proper solemnity; so, two days after, they went to the law-court in the Parliament Close, and there subjected his Holiness to a mock-trial, and condemned him to be burned ceremoniously on Christmas Day, doubtless meaning by the selection of the time to pass an additional slight upon the religion over which they were now triumphing.

On the appointed day, the students had a solemn muster to execute the sentence. Arranged in bands according to their standing, each band with a captain, they marched, sword in hand, to the cross, preceded by the janitor of the college, carrying the mace, and having a band of hautbois also before them. There, in presence of the magistrates and some of the Privy Council, they solemnly burned the effigy, while a huge multitude looked on delighted.¹

There were similar doings in other parts of the country; but I select only those of one place, as a specimen of the whole, and sufficient to shew the feeling of the time.

1689.
JAN. 11.

A Protestant town-council being elected at Aberdeen, the boys of the Marischal College resolved to celebrate the occasion with a burlesque *Pope's Procession*. They first thought proper to write to the new magistrates, protesting that their design was not 'tumultuary,' neither did they intend to 'injure the persons or goods of any.' The ceremonial reminds us slightly of some of the scenes in Lyndsay's *Satire of the Three Estates*. Starting from the college-gate at four in the afternoon, there first went a company of men carrying links, six abreast; next, the janitor of the college, with the college-mace, preceding six judges in scarlet robes. Next marched four fifers playing; then, in succession, four priests, four Jesuits, four popish bishops, and four cardinals, all in their robes; then a Jesuit in embroidered robes, carrying a great cross. Last came the pope, carried in his state-chair, in scarlet robes lined with ermine, his triple crown on his head, and his keys on his arm; distributing pardons and indulgences as he moved along.

Being arrived at the market-cross, the pope placed himself on a theatre, where a dialogue took place between him and a cardinal, expressing the pretensions commonly attributed to the head of the Catholic Church, and announcing a doom to all heretics. In the midst of the conference, Father Peter, the ex-king's confessor, entered with a letter understood to convey intelligence of the late

¹ *Collection of Papers, &c.* London, Richard Janeway, 1689.

disastrous changes in London; whereupon his holiness fell into 1689. a swoon, and the devil came forward, as to help him. The programme anticipates that this would be hailed as a merry sight by the people. But better remained. The pope, on recovering, began to vomit 'plots, daggers, indulgences, and the blood of martyrs,' the devil holding his head all the time. The devil then tried in rhyme to comfort him, proposing that he should take refuge with the king of France; to which, however, he professed great aversion, as derogatory to his dignity; whereupon the devil appeared to lose patience, and attempted to throw his friend into the fire. But this he was prevented from doing by the entry of one ordering that the pope should be subjected to a regular trial.

The pontiff was then arraigned before the judges as guilty of high treason against Omnipotence, in as far as he had usurped many of its privileges, besides advancing many blasphemous doctrines. 'The court adduced sufficient proofs by the canons of the church, bulls, pardons, and indulgences, lying in process;' and he was therefore pronounced guilty, and ordered to be immediately taken to the public place of execution, and burned to ashes, his blood to be attainted, and his honours to be blotted out of all records. The procession was then formed once more, and the sentence was read from the cross; after which 'his holiness was taken away from the theatre, and the sentence put in execution against him. During the time of his burning, the spectators were entertained with fireworks and some other divertisements.

'After all was ended, the Trinity Church bell—which was the only church in Scotland taken from the Protestants and given to the papists, wherein they actually had their service—was rung all the night.'¹

Patrick Walker relates,² with great relish, the close of the MAR. 14. political existence of the unhappy episcopate of Scotland, amidst the tumults attending the sitting of the Convention at Edinburgh, during the process of settling the crown on William and Mary. For a day or two after this representative body sat down, several bishops attended, as a part of the parliamentary constitution of the country, and by turns took the duty of saying prayers. The last who did so, the Bishop of Dunkeld, spoke pathetically of the

¹ *Account of the Pope's Procession at Aberdene, &c.*, reprinted in Laing's *Fugitive Poetry of the Seventeenth Century*.

² *Biographia Presbyteriana*, i. 221

1689. exiled king as the man for whom they had often watered their couches, and thus provoked from the impetuous Montgomery of Skelmorley a jest at their expense which will not bear repetition. They were 'put out with disdain and contempt,' while some of the members expressed a wish that the 'honest lads' knew of it, 'for then they would not win away with hale gowns.' And so Patrick goes on with the triumph of a vulgar mind, describing how they 'gathered together with pale faces, and stood in a cloud in the Parliament Close. James Wilson, Robert Neilson, Francis Hislop, and myself were standing close by them. Francis Hislop with force thrust Robert Neilson upon them; their heads went hard upon one another. But there being so many enemies in the city, fretting and gnashing their teeth, waiting for an occasion to raise a mob, where undoubtedly blood would have been shed; and we having laid down conclusions among ourselves to guard against giving the least occasion to all mobs; kept us from tearing off their gowns.

'Their graceless graces went quickly off; and neither bishop nor curate was seen in the streets; this was a surprising change not to be forgotten. Some of us would have been rejoiced more than in great sums, to see these bishops sent legally down the Bow, that they might have found the weight of their tails in a tow, to dry their hose-soles, that they might know what hanging was; they having been active for themselves, and the main instigators to all the mischiefs, cruelties, and bloodshed of that time, wherein the streets of Edinburgh, and other places of the land, did run with the innocent, precious, dear blood of the Lord's people.'

A more chivalric adversary might have, after all, found something to admire in these poor prelates, who permitted themselves to be so degraded, purely in consequence of their reverence for an oath, while many good Presbyterians were making little of such scruples. On the other hand, a more enlightened bench of bishops might have seen that the political status which they now forfeited had all along been a worldly distinction working against the success of spiritual objects, and might thus have had some comfortable re-assurances for the future, as they 'stood in a cloud in the Parliament Close,' to receive the concussion of Robert Neilson pushed on by Francis Hislop.

Since Christmas of the past year, there had been constant mob-action against the Episcopal clergy, especially in the western shires, about three hundred having been rudely expelled or forced to

flee for safety of their lives. On the rebound of such a spring,^{1689.} nothing else was to be expected; perhaps there is even some force in the defence usually put forward for the zealous Presbyterians on this occasion, that their violences towards those obnoxious functionaries were *less* than might have been expected. I do not therefore deem it necessary to go into 'the Case of the present Afflicted Clergy,'¹ or to call attention to the similar case of the faithful professors of the Edinburgh University, expelled by a commission in the autumn of 1690. There is, however, one anecdote exemplifying Christian feeling on this occasion, which it must be pleasant to all to keep in green remembrance. 'The last Episcopal clergyman of the parish of Glenorchy, Mr David Lindsay, was ordered to surrender his charge to a Presbyterian minister then appointed by the Duke [Earl] of Argyle. When the new clergyman reached the parish to take possession of his living, not an individual would speak to him [public feeling on the change of church being here different] except Mr Lindsay, who received him kindly. On Sunday, the new clergyman went to church, accompanied by his predecessor. The whole population of the district were assembled, but they would not enter the church. No person spoke to the new minister, nor was there the least noise or violence till he attempted to enter the church, when he was surrounded by twelve men fully armed, who told him he must accompany them; and, disregarding all Mr Lindsay's prayers and entreaties, they ordered the piper to play the march of death, and marched away the minister to the confines of the parish. Here they made him swear on the Bible that he would never return, or attempt to disturb Mr Lindsay. He kept his oath. The synod of Argyle were highly incensed at this violation of their authority; but seeing that the people were fully determined to resist, no further attempt was made, and Mr Lindsay lived thirty years afterwards, and died Episcopal minister of Glenorchy, loved and revered by his flock.'²

A little incident connected with the accession of King William and Queen Mary was reported to Wodrow as 'beyond all question.' When the magistrates of Jedburgh were met at their market-cross to proclaim the new sovereigns, and drink their healths, a Jacobite chanced to pass by. A bailie asked him if he

¹ Under this title, a pamphlet, detailing the *outing* and *robbing* of the clergy, was published in London in 1690.

² Stewart's *Sketches of the Highlanders*, i. p. 99, note.

1589. Would drink the king's health; to which he answered no, but he was willing to take a glass of the wine. They handed him a little round glass full of wine; and he said: 'As surely as this glass will break, I drink confusion to him, and the restoration of our sovereign and his heir;' then threw away the glass, which alighted on the tolbooth stair, and rolled down unbroken. The bailie ran and picked up the glass, took them all to witness how it was quite whole, and then dropping some wax into the bottom, impressed his seal upon it, as an authentication of what he deemed little less than a miracle.

Mr William Veitch happening to relate this incident in Edinburgh, it came to the ears of the king and queen's commissioner, the Earl of Crawford, who immediately took measures for obtaining the glass from Jedburgh, and 'sent it up with an attested account to King William.'¹

APR. 23. The sitting of the Convention brought out a great amount of volunteer zeal, in behalf of the Revolution, amongst those extreme Presbyterians of the west who had been the greatest sufferers under the old government. They thought it but right—while the Highlanders were rising for James in the north—that they should take up arms for William in the south. The movement centered at the village of Douglas in Lanarkshire, where the representative of the great House of that name was now devoted to the Protestant interest. On the day noted, a vast crowd of people assembled on a holm or meadow near the village, where a number of their favourite preachers addressed them in succession with suitable exhortations, and for the purpose of clearing away certain scruples which were felt regarding the lawfulness of their appearing otherwise than under an avowed prosecution of the great objects of the Solemn League and Covenant.

After some difficulties on these and similar points, a regiment was actually constituted on the 14th of May, and nowhere out of Scotland perhaps could a corps have been formed under such unique regulations. They declared that they appeared for the preservation of the Protestant religion, and for 'the work of reformation in Scotland, in opposition to popery, prelacy, and arbitrary power.' They stipulated that their officers should exclusively be men such as 'in conscience' they could submit to. A minister was appointed for the regiment, and an elder nominated

¹ *Wodrow's Analecta*, i. 333.

for each company, so that the whole should be under precisely the same religious and moral discipline as a parish, according to the standards of the church. A close and constant correspondence with the 'United Societies'—the *Carbonari* of the late evil times—was settled upon. A Bible was a part of the furniture of every private's knapsack—a regulation then quite singular. Great care was taken in the selection of officers, the young Earl of Angus, son of the Marquis of Douglas, being appointed colonel; while the second command was given to William Cleland, a man of poetical genius and ardent soldierly character, who had appeared for God's cause at Bothwell-brig. It is impossible to read the accounts that are given of this Cameronian Regiment, as it was called, without sympathising with the earnestness of purpose, the conscientious scrupulosity, and the heroic feelings of self-devotion, under which it was established, and seeing in these demonstrations something of what is highest and best in the Scottish character.

It is not therefore surprising to learn that in August, when posted at Dunkeld, it made a most gallant and successful resistance to three or four times the number of Highlanders, then fresh from their victory at Killiecrankie; though, on this occasion, it lost its heroic lieutenant-colonel. Afterwards being called to serve abroad, it distinguished itself on many occasions; but, unluckily, the pope being concerned in the league for which King William had taken up arms, the United Societies from that time withdrew their countenance from the regiment. The Cameronians became the 26th Foot in the British army, and, long after they had ceased to be recruited among the zealous in Scotland, and ceased to exemplify Presbyterian in addition to military discipline, they continued to be singular in the matter of the Bible in the knapsack.¹

There had been for some time in Scotland a considerable number of French Protestants, for whom the charity of the nation had been called forth. To these was now added a multitude of poor Irish of the same faith, refugees from the cruel wars going on in their own country, and many of whom were women, children, and infirm persons. Slender as the resources of Scotland usually were, and sore pressed upon at present by the exactions necessary for supporting the new government, a collection was going on in behalf of the refugee Irish. It was

¹ *Life and Diary of Lieutenant-colonel Blackader of the Cameronian Regiment.* By Andrew Crichton. Edin. 1824.

1683. now, however, represented, that many in the western counties were in such want, that they could not wait till the collection was finished; and so the Lords of the Privy Council ordered that the sums gathered in those counties be immediately distributed in fair proportions between the French and Irish, and enjoining the distributors 'to take special care that such of those poor Protestants as stays in the remote places of those taxable bounds and districts be duly and timeously supplied.' Seventy pounds in all was distributed.

Five days before this, we hear of John Adamson confined in Burntisland tolbooth as a papist, and humanely liberated, that he might be enabled to depart from the kingdom.¹

JUNE 23.

This morning, being Sunday, the royal orders for the appointment of fifteen new men to be Lords of Session reached Edinburgh, all of them being, of course, persons notably well affected to the new order of things. Considering the veneration professed for the day by zealous Presbyterians in Scotland, and how high stood the character of the Earl of Crawford for a religious life, one is rather surprised to find one of the new judges (Crossrig) bluntly telling that that earl 'sent for me in the morning, and intimated to me that I was named for one of them.' He adds a curious fact. 'It seems the business had got wind, and was talked some days before, for Mr James Nasmyth, advocate, who was then concerned for the Faculty's Library, spoke to me to pay the five hundred merks I had given bond for when I entered advocate; which I paid. It may be he thought it would not be so decent to crave me after I was preferred to the bench.'²

It is incidental to liberating and reforming parties that they seldom escape having somewhat to falsify their own professions. The Declaration of the Estates containing the celebrated Claim of Right (April 1689) asserted that 'the imprisoning of persons, without expressing the reasons thereof, and delaying to put them to trial, is contrary to law.' It also pronounced as equally illegal 'the using of torture without evidence in ordinary crimes.' Very good as a party condemnation of the late government, or as a declaration of general principles; but, for a time, nothing more.

One of the first acts of the new government was for the 'securing of suspect persons.' It could not but be vexing to

¹ Privy Council Record, MS., Gen. Register House, Edinburgh.

² Home of Crossrig's *Diary*. Stevenson, Edinburgh, 1843.

the men who had delivered their country 'from thralldom and poperie, and the pernicious inconveniences of an absolute power,' when they found themselves—doubtless under a full sense of the necessity of the case—probably as much so as their predecessors had ever felt—ordering something like half the nobility and gentry of the country, and many people of inferior rank, into ward, there to lie without trial—and in at least one notorious case, had to resort to torture to extort confession; thus imitating those very proceedings of the late government which they themselves had condemned.

All through the summer of 1689, the register of the Privy Council is crammed with petitions from the imprisoned, calling for some degree of relief from the miseries they were subjected to in the Edinburgh Tolbooth, Stirling Castle, Blackness Castle, and other places of confinement, to which they had been consigned, generally without intimation of a cause. The numbers in the Edinburgh Tolbooth were particularly great, insomuch that one who remembers, as the author does, its narrow gloomy interior, gets the idea of their being packed in it much like the inmates of an emigrant ship.

Men of the highest rank were consigned to this frightful place. We find the Earl of Balcarres petitioning (May 30) for release from it on the plea that his health was suffering, 'being always, when at liberty, accustomed to exercise [his lordship was a great walker];' and, moreover, he had given security 'not to escape or do anything in prejudice of the government.' The Council ordained that he should be 'brought from the Tolbooth to his own lodging in James Hamilton's house over forgaist the Cross of Edinburgh,' he giving his parole of honour 'not to go out of his lodgings, nor keep correspondence with any persons in prejudice or disturbance of the present government.' With the like humanity, Lord Lovat was allowed to live with his relative the Marquis of Athole in Holyroodhouse, but under surveillance of a sentinel.

Sir Robert Grierson of Lagg—who, having been an active servant of the late government in some of its worst work, is the subject of high popular disrepute as a *persecutor*—was seized in his own house by Lord Kenmure, and taken to the jail of Kirkcudbright—thence afterwards to the Edinburgh Tolbooth. He seems to have been liberated about the end of August, on giving security for peaceable behaviour.

The most marked and hated instrument of King James was

1689. certainly the Chancellor Earl of Perth. He had taken an early opportunity of trying to escape from the country, so soon as he learned that the king himself had fled. It would have been better for all parties if his lordship had succeeded in getting away; but some officious Kirkcaldy boatmen had pursued his vessel, and brought him back; and after he had undergone many contumelies, the government consigned him to close imprisonment in Stirling Castle, 'without the use of pen, ink, or paper,' and with only one servant, who was to remain close prisoner with him. Another high officer of the late government, John Paterson, Archbishop of Glasgow, was placed in close prison in Edinburgh Castle, and not till after many months, allowed even to converse with his friends: nor does he appear to have been released till January 1693.

Among the multitude of the incarcerated was an ingenious foreigner, who for some years had been endeavouring to carve a subsistence out of Scotland, with more or less success. We have heard of Peter Bruce before¹ as constructing a harbour, as patentee for a home-manufacture of playing-cards, and as the conductor of the king's Catholic printing-house at Holyrood. It ought likewise to have been noted as a favourable fact in his history, that the first system of water-supply for Edinburgh—by a three-inch pipe from the lands of Comiston—was effected by this clever Flandrian. At the upbreak of the old government in December, Bruce's printing-office was destroyed by the mob, and his person laid hold of. We now (June 1689) learn, by a petition from him to the Privy Council, that he had been enduring 'with great patience and silence seven months' imprisonment, for no other cause or crime but the coming of one Nicolas Droomer, skipper at Newport, to the petitioner's house, which Droomer was likewise on misinformation imprisoned in this place, but is released therefra four weeks ago.' He adds that he looks on his imprisonment to be 'but an evil recompense for all the good offices of his art, has been performed by him not only within the town of Edinburgh, but in several places of the kingdom, to which he was invited from Flanders. He, being a stranger, yet can make it appear [he] has lost by the rabble upwards of twenty thousand merks of writs and papers, besides the destruction done to his house and family, all being robbed, pillaged, and plundered from him, and not so much as a shirt left him or his wife.' He

¹ *Domestic Annals of Scotland*, ii. 408, 432.

thinks 'such barbarous usage has scarce been heard [of]; whereby, ^{1689.} and through his imprisonment, he is so out of credit, that himself was like to starve in prison, [and] his family at home in the same condition.' Peter's petition for his freedom was acceded to, on his granting security to the extent of fifty pounds for peaceable behaviour under the present government.

Another sufferer was a man of the like desert—namely, John Slezer, the military engineer, to whom we owe that curious work the *Theatrum Scotiæ*. The Convention was at first disposed to put him into his former employment as a commander of the artillery; but he hesitated about taking the proper oath, and in March a warrant was issued for securing him 'untill he find caution not to return to the Castle [then held out for King James].'¹ He informed the Council (June 3) that for some weeks he had been a close prisoner in the Canongate Tolbooth by their order, till now, his private affairs urgently requiring his presence in England, he was obliged to crave his liberation, which, 'conceiving that he knew himself to be of a disposition peaceable and regular,' he thought they well might grant. They did liberate him, and at the same time furnished him with a pass to go southward.

One of the petitioning prisoners, Captain Henry Bruce, states that he had been in durance for nine months, merely because, when the rabble attacked Holyroodhouse, he obeyed the orders of his superior officer for defending it. That superior officer himself, Captain John Wallace, was in prison on the same account. He presented a petition to the Council—February 5, 1691—setting forth how he had been a captive for upwards of a year, though, in defending Holyrood from the rabble, he had acted in obedience to express orders from the Privy Council of the day, and might have been tried by court-martial and shot if he had not done as he did. He craved liberation on condition of self-banishment. The Council ordered their solicitor to prosecute him; and on a reclamation from him, this order was repeated. In the ensuing November, however, we find Wallace still languishing in prison, and his health decaying—although, as he sets forth in a petition, 'by the 13th act of the Estates of this kingdom, the imprisoning persons without expressing the reasons, and delaying to put them to a trial, is utterly and directly contrary to the known statutes, laws, and freedoms of this kingdom.' He was not

¹ *Acts of Scottish Parliament*, ix. 12.

1692. subjected to trial till August 6, 1692, when he had been nearly four years a prisoner. The laborious proceedings, extending over several days, and occupying many wearisome pages of the Justiciary Record, shew the anxiety of the Revolution government to be revenged on this gallant adversary; but the trial ended in a triumphant acquittal.

Several men and women were imprisoned in the Tolbooth for giving signals to the garrison holding out the Castle. One Alexander Ormiston petitioned for his liberation as innocent of the charge. He had merely wiped his eyes, which were sore from infancy, with his napkin, as he passed along the Grassmarket; and this had been interpreted into his giving a signal. After a confinement of twelve days, Alexander obtained his liberation, 'free of house-dues.'

John Lothian petitioned, August 19, for liberation, having been incarcerated on the 8th of July. He declared himself unconscious of anything that 'could have deserved his being denied the common liberty of a subject.' A most malignant fever had now broken out in the Tolbooth, whereof one prisoner died last night, and on all hands there were others infected beyond hope of recovery. He, being reduced to great weakness by his long confinement, was apprehensive of falling a victim. John Rattray, on the ensuing day, sent a like petition, stating that he had lain six weeks 'in close prison, in a most horrible and starving condition, for want of meat, drink, air, and bedding.' A wife and large family of small children were equally destitute at home, and likely to starve, 'he not having ane groat to maintain either himself or them.' Lothian was liberated, but the wretched Rattray was only transferred to 'open prison'—that is, a part of the jail where he was accessible to his family and to visitors.

Amongst the multitude of political prisoners was one James Johnstone, who had been put there two years before, without anything being laid to his charge. The new government had ordered his liberation in June, but without paying up the aliment due to him; consequently, he could not discharge his prison-dues; and for this the Goodman—so the head-officer of the jail was styled—had detained him. He was reduced to the most miserable condition, often did not break bread for four or five days, and really had no dependence but on the charity of the other scarcely less miserable people around him. The Council seem to have felt ashamed that a friend of their own should have been allowed to lie nine months in jail after the Revolution; so they ordered

his immediate dismissal, with payment of aliment for four hundred ~~1000~~ and two days in arrear.¹

Christopher Cornwell, servitor to Thomas Dunbar, stated to the Privy Council, March 19, 1690, that he had been in the Edinburgh Tolbooth since June last with his master, 'where he has lived upon credit given him by the maid who had the charge of the provisions within the prison, and she being unable as well as unwilling to furnish him any more that entertainment, mean as it was, his condition hardly can be expressed, nor could he avoid starving.' He was liberated upon his parole.

David Buchanan, who had been clerk to Lord Dundee's regiment, was seized in coming northward, with some meal believed to be the property of his master, and he was thrown in among the crowd of the Tolbooth. For weeks he petitioned in vain for release.

The Privy Council, on the 18th May 1690, expressed anxiety about the prisoners; but it was not regarding their health or comfort. They sent a committee to consider how best the Tolbooth might be made secure—for there had been an escape from the Canongate jail—and for this purpose it was decreed that close prisoners should be confined within the inner rooms; that the shutters towards the north should be nightly locked, to prevent communications with the houses in that direction; and that 'there should be a centinel all the daytime at the head of the iron ravell stair at the Chancellery Chamber, lest letters and other things may be tolled up.'²

The chief of the clan Mackintosh, usually called the Laird of JUNE Mackintosh, claimed rights of property over the lands of Keppoch, Glenroy, and Glenspean, in Inverness-shire, 'worth five thousand merks of yearly rent'—a district interesting to modern men of science, on account of the singular impress left upon it by the hand of nature in the form of water-laid terraces, commonly called the Parallel Roads of Glenroy, but then known only as the haunt of a wild race of Macdonalds, against whom common processes of law were of no avail. Mackintosh—whose descendant is now the peaceable landlord of a peaceable tenantry in this

¹ On the 12th February 1690, the Privy Council had under their notice the case of a man named Samuel Smith, who had been imprisoned in the Edinburgh Tolbooth for three years on a charge of theft, without trial, and ordained him to be set at large, there being 'no probation' against him.

² Privy Council Record.

1689. country—had in 1681 obtained letters of fire and sword as a last desperate remedy against Macdonald of Keppoch and others; but no good had come of it.

In the year of the Revolution, these letters had been renewed, and about the time when Seymour and Russell were inviting over the Prince of Orange for the rescue of Protestantism and liberty, Mackintosh was leading a thousand of his people from Badenoch into Glenspean, in order to wreak the vengeance of the law upon his refractory tenants. He was joined by a detachment of government troops under Captain Mackenzie of Suddy; but Keppoch, who is described by a contemporary as ‘a gentleman of good understanding, and of great cunning,’ was not dismayed. With five hundred men, he attacked the Mackintosh on the brae above Inverroy, less than half a mile from his own house, and gained a sanguinary victory. The captain of the regular troops and some other persons were killed; the Laird of Mackintosh was taken prisoner, and not liberated till he had made a formal renunciation of his claims; two hundred horses and a great quantity of other spoil fell into the hands of the victors.¹ The Revolution, happening soon after, caused little notice to be taken of this affair, which is spoken of as the last clan-battle in the Highlands.

Now that Whiggery was triumphing in Edinburgh, it pleased Keppoch to rank himself among those chiefs of clans who were resolved to stand out for King James. Dundee reckoned upon his assistance; but when he went north in spring, he found this ‘gentleman of good understanding’ laying siege to Inverness with nine hundred men, in order to extort from its burghers at the point of the sword some moneys he thought they owed him. The northern capital—a little oasis of civilisation and hearty Protestantism in the midst of, or at least close juxtaposition to, the Highlands—was in the greatest excitement and terror lest Keppoch should rush in and plunder it. There were preachings at the cross to animate the inhabitants in their resolutions of defence; and a collision seemed imminent. At length the chieftain consented, for two thousand dollars, to retire. It is alleged that Dundee was shocked and angry at the proceedings of this important partisan, but unable or unwilling to do more than expostulate with him. Keppoch by and by joined him in earnest with his following, while Mackintosh held off in a state of indecision.

¹ Privy Council Record, under February 22, 1698.

This gave occasion for a transaction of private war, forming really a notable part of the Scottish insurrection for King James, though it has been scarcely noticed in history. It was when Dundee, in the course of his marching and countermarching that summer, chanced to come within a few miles of Mackintosh's house of Dunachan, on Speyside, that Keppoch bethought him of the opportunity it afforded for the gratification of his vengeful feelings. He communicated not with his commander. He took no counsel of any one; he slipped away with his followers unobserved, and, stooping like an eagle on the unfortunate Mackintosh, burned his mansion, and ravaged his lands, destroying and carrying away property afterwards set forth as of the value of two thousand four hundred and sixty-six pounds sterling.

This independent way of acting was highly characteristic of Dundee's followers; but he found it exceedingly inconvenient. Being informed of the facts, he told Keppoch, in presence of his other officers, that 'he would much rather choose to serve as a common soldier among disciplined troops, than command such men as he; that though he had committed these outrages in revenge of his own private quarrel, it would be generally believed he had acted by authority; that since he was resolved to do what he pleased, without any regard to command and the public good, he begged that he would immediately be gone with his men, that he might not hereafter have an opportunity of affronting the general at his pleasure, or of making him and the better-disposed troops a cover to his robberies. Keppoch, who did not expect so severe a rebuke, humbly begged his lordship's pardon, and told him that he would not have abused Mackintosh so, if he had not thought him an enemy to the king as well as to himself; that he was heartily sorry for what was past; but since that could not be amended, he solemnly promised a submissive obedience for the future.'

The preceding was not a solitary instance of private clan-warfare, carried on under cover of Dundee's insurrection. Amongst his notable followers were the Camerons, headed by their sagacious chief, Sir Ewen of Lochiel, who was now well advanced in years, though he lived for thirty more. A few of this clan having been hanged by the followers of the Laird of Grant—a chief strong in the Whig cause—it was deemed right

¹ *Memoirs of Sir Ewen Cameron of Lochiel* [by Drummond of Balhadies], p. 248.
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1682. that a revenge should be taken in Glen Urquhart. 'They presumed that their general would not be displeased, in the circumstances he was then in, if they could supply him with a drove of cattle from the enemy's country.' Marching off without leave, they found the Grants in Glen Urquhart prepared to receive them; but before the attack, a Macdonald came forward, telling that he was settled amongst the Grants, and claiming, on that account, that none of the people should be injured. They told him that, if he was a true Macdonald, he ought to be with his chief, serving his king and country in Dundee's army; they could not, on his account, consent to allow the death of their clansmen to remain unavenged. The man returned dejected to his friends, the Grants, and the Camerons made the attack, gaining an easy victory, and bearing off a large spoil to the army in Lochaber.

Dundee consented to overlook this wild episode, on account of the supplies it brought him; but there was another person grievously offended. The Macdonald who lived among the Grants was one of those who fell in the late skirmish. By all the customs of Highland feeling, this was an event for the notice of his chief Glengarry, who was one of the magnates in Dundee's army. Glengarry appeared to resent the man's death highly, and soon presented himself before the general, with a demand for satisfaction on Lochail and the Camerons. 'Surprised at the oddness of the thing, his lordship asked what manner of satisfaction he wanted; "for," said he, "I believe it would puzzle the ablest judges to fix upon it, even upon the supposition that they were in the wrong;" and added, that "if there was any injury done, it was to him, as general of the king's troops, in so far as they had acted without commission." Glengarry answered that they had equally injured and affronted both, and that therefore they ought to be punished, in order to deter others from following their example.' To this Dundee replied with further excuses, still expressing his inability to see what offence had been done to Glengarry, and remarking, that 'if such an accident is a just ground for raising a disturbance in our small army, we shall not dare to engage the king's enemies, lest there may chance to be some of your name and following among them who may happen to be killed.' Glengarry continued to bluster, threatening to take vengeance with his own hand; but in reality he was too much a man of the general world to be himself under the influence of these Highland feelings—he only wished to appear before his people as eager to avenge

what they felt to be a just offence. The affair, therefore, fell asleep.¹

The Earl of Balcarres, having failed to satisfy the government JULY 4. about his peaceable intentions, was put under restraint in Edinburgh Castle, which was now in the hands of the government. There, he must have waited with great anxiety for news of his friend Lord Dundee.

'After the battle of Killiecrankie, where fell the last hope of James in the Viscount of Dundee, the ghost of that hero is said to have appeared about daybreak to his confidential friend, Lord, Balcarres, then confined to Edinburgh Castle. The spectre, drawing aside the curtain of the bed, looked very steadfastly upon the earl, after which it moved towards the mantel-piece, remained there for some time in a leaning posture, and then walked out of the chamber without uttering one word. Lord Balcarres, in great surprise, though not suspecting that which he saw to be an apparition, called out repeatedly to his friend to stop, but received no answer, and subsequently learned that at the very moment this shadow stood before him, Dundee had breathed his last near the field of Killiecrankie.'²

On the news of the defeat of the government troops, his lordship had some visits from beings more substantial, but perhaps equally pale of countenance. In his Memoirs, he tells us of the consternation of the new councillors. 'Some were for retiring to England, others to the western shires of Scotland . . . they considered whether to set at liberty all the prisoners, or make them more close; the last was resolved, and we were all locked up and debarred from seeing our friends, but *never had so many visits from our enemies*, all making apologies for what was past, protesting they always wished us well, as we should see whenever they had an opportunity.'

Lord Balcarres was liberated on the 4th of March 1690, on giving caution for peaceable behaviour, the danger of Jacobite reaction being by that time abated.

A poor young woman belonging to a northern county, wandering JULY 10. southwards in search of a truant lover, like a heroine of one of the old ballads, found herself reduced to the last extremity of distress

¹ *Memoirs of Sir Ewen Cameron of Lochiel*, p. 254.

² C. K. Sharpe in note to *Law's Memorials*.

1689. when a few miles south of Peebles. Bewildered and desperate, she threw her babe into the Haystown Burn, and began to wander back towards her own country. A couple of the inhabitants of Peebles, fishing in the burn, soon found the body of the infant, and, a search being made, the wretched mother was discovered at a place called Jedderfield, brought into town, and put in confinement, as a suspected murderess. The magistrates of the burgh applied to the sheriff, John Balfour of Kailzie, to have the supposed culprit taken off their hands, and tried; but he refused to interfere, owing to 'the present surcease of justice' in the country. Consequently, the magistrates were 'necessitate to cause persons constantly guard the murderer, the prison not being strong enough to secure her.' On their petition, the Privy Council allowed the Peebles authorities to send Margaret Craig, with a guard, to Edinburgh, and ordained her to be received into the Tolbooth of Leith, till she be processed for the murder.¹

This miserable young woman must have lain in prison three years, for she was tried by the Court of Justiciary in June 1692, and condemned to be hanged.²

JULY 26. There is something interesting in the early difficulties of so valuable an institution as the Post-office. John Graham had been appointed postmaster-general for Scotland in 1674, with a salary of a thousand pounds Scots (£83, 6s. 8d. sterling), and had set about his duty with great spirit. He had travelled to many towns for the purpose of establishing local offices, thus incurring expenses far beyond what his salary could repay. He had been obliged on this account to encroach on money belonging to his wife; also to incur some considerable debts; nor had he ever been able to obtain any relief, or even the full payment of his salary from the late state-officers. He was now dead, and his widow came before the Privy Council with a petition setting forth how she had been left penniless by her husband through his liberality towards a public object. It was ordained that Mrs Graham should get payment of all debts due by provincial offices to her husband, and have the income of the general office till Martinmas next.

It is to be feared that Mrs Graham did not profit much by this order, as on the subsequent 19th of October we find her complaining that William Mean of the Edinburgh letter-office, and others,

¹ Privy Council Record.

² Justiciary Record.

had refused to pay her the arrears declared to be due to her; 1688. wherefore the order was renewed.

The general post-mastership was at this time put upon a different footing, being sold by roup, July 24, 1689, to John Blair, apothecary in Edinburgh, he undertaking to carry on the entire business on various rates of charge for letters, and to pay the government five thousand one hundred merks (about £255 sterling) yearly, for seven years. The rates were, for single letters to Dumfries, Glasgow, and Ayr, Dundee, Perth, Kelso, and Jedburgh, two shillings; to Carlisle, Portpatrick, Aberdeen, and Dunkeld, three shillings; to Kirkcudbright and Inverness, four shillings, all Scots money.

In October of this year, the above-mentioned William Mean was Oct. 8. sent with a macer to the Tolbooth for keeping up letters sent from Ireland 'untill payment of the letters were paid to him, albeit the postage were satisfied in England, and that he had sent back packets to London which were directed for Ireland.' Also, 'notwithstanding the former order of Council appointing him to deliver in to them any letters directed for James Graham, vintner, he had kept up the same these eight or ten days, and had never acquainted any member of Council therewith.' He was liberated two days after, on caution for reappearance under 500 merks. It may be surmised that William Mean was disposed to take advantage of some regulations of his office in order to give trouble to the existing government.

In the course of 1690, besides a deliberate robbery of the post-boy on the road between Cockburnspath and Haddington (see under August 16th of that year), the fact of the bag frequently coming with the seals broken, is adverted to in angry terms by the Privy Council. An edict for the use of official seals and the careful preservation of these was passed; nevertheless, we soon after hear of the bag or box coming once more into Edinburgh with the seals broken, Mrs Gibb, the post-mistress at the Canongate post,¹ sent for, Mrs Mean of the letter-office also called up, and much turmoil and fume for a while, but no sort of decisive step taken in consequence. It is to be observed that the post from the English to the Scottish capital was at this time carried on horseback with a fair degree of speed. English parliamentary proceedings of Saturday are noted to be in the hands of the Edinburgh public on the ensuing Thursday.²

¹ Mrs Gibb seems to have been the person who managed the transmission or carrying between Edinburgh and Haddington.

² Privy Council Record.

1689.
Aug.

Alexander Irvine of Drum, the representative of a distinguished historical family in Aberdeenshire, was unfortunately weak both in mind and body, although it is related that he could play well on the viol, and had picked up the then popular political tune of *Lullibullero* in the course of a few days. Under sanction of the Privy Council, Dr David Mitchell of Edinburgh undertook to keep him in his house in a style befitting his quality, and with the care required by his weakly condition, and for this purpose hired some additional rooms, and made other necessary furnishings and preparations. The laird came to him at the close of July, but before the end of August, Marjory Forbes had induced the laird to own her as his wife, and it became necessary that Drum should leave his medical protector. A petition being presented by Dr Mitchell for payment of board and recompense for charges thus needlessly incurred, he was allowed by the Lords £500 Scots, or £41, 13s. 4d. sterling, over and above twenty pieces he had received for a professional visit paid to the laird's Aberdeenshire castle, to arrange for his migration to Edinburgh.¹

James Broich, skipper of Dundee, was proceeding in his *scout* to Norway with a small parcel of goods, and a thousand pounds Scots wherewith to buy a larger vessel. In mid-sca he fell in with a French privateer, who, after seizing cargo and money, having no spare hands to leave on board, proceeded to cut holes in the vessel, in order to sink her, proposing to put the unfortunate crew to their boat, in which case they must have perished, 'there being then a great stress.' By the prayers and tears of the skipper and his people, the privateer was at length induced to let them go in their vessel, but not without first obtaining a bond from Broich, undertaking to remit six hundred guelders to Dunkirk by a particular day. As a guarantee for this payment, the rover detained and carried off the skipper's son, telling him he would hear no good of him if the money should fail to be forthcoming.

Poor Broich got safe home, where his case excited much commiseration, more particularly as he had suffered from shipwreck and capture four times before in the course of his professional life. He was penniless, and unable to support his family; his son, also—'the stay and staff of his old age'—had a wife and small children of his own left desolate. Here was a little

¹ Privy Council Record.

domestic tragedy very naturally arising out of the wars of the *Grand Monarque*! Beginning in the council-room of Versailles, such was the way they told upon humble industrial life in the port of Dundee in Scotland. It was considered, too, that the son was in 'as bad circumstances, in being a prisoner to the French king, as if he were a slave to the Turks.'

On the petition of Broich, the Privy Council ordained a voluntary contribution to be made for his relief in Edinburgh, Leith, Borrowstounness, and Queensferry, and in the counties of Fife and Forfar. SEP. 2.

In a contemporary case, that of a crew of Grangepans, carried by a privateer to Dunkirk, and confined in Rochefort, it is stated that they were each allowed half a sous *per diem* for subsistence, and were daily expecting to be sent to the galleys.¹

It was now acknowledged of the glass-work at Leith, that it was carried on successfully in making green bottles and 'chemistry and apothecary glasses.' It produced its wares 'in greater quantity in four months than was ever vended in the kingdom in a year, and at as low rates as any corresponding articles from London or Newcastle.' The Privy Council therefore gave it the privileges of a manufactory, and forbade introduction of foreign bottles, only providing that the Leith work should not charge more than half-a-crown a dozen. OCT. 10.

The magistrates of Edinburgh were ordered to put William Mitchell upon the Tron, 'and cause the hangman nail his lug [ear] thereto,' on Wednesday the 4th instant, between eleven and twelve in the forenoon, with a paper on his breast, bearing 'that he stands there for the insolencies committed by him on the Guards, and for words of reflection uttered by him against the present government.'² DEC. 2.

A large flock of *mere-swine* (porpoises?) having entered the Firth of Forth, as often happens, and a considerable number having come ashore, as seldom happens, at Cramond, the tenants of Sir John Inglis, proprietor of the lands there, fell upon them with all possible activity, and slew twenty-three, constituting a prize of no inconsiderable value. After fastening the animals with ropes, so as to prevent their being carried out to sea—for the 1690.
FEB. 2.

¹ Privy Council Record,

² Privy Council Record,

1690. scene of slaughter was half a mile in upon a flat sandy beach—the captors sold them for their own behoof to Robert Douglas, soap-boiler in Leith, fully concluding that they had a perfect right to do so, seeing that mere-swine are not royal fish, and neither had they been cast in dead, in which case, as wrack, I presume, they would have belonged to the landlord.

The greater part of the spoil had been barrelled and transported to Leith—part of the price paid, too, to the captors—when John Wilkie, surveyor there, applied to the Privy Council for a warrant to take the mere-swine into his possession and dispose of them for the benefit of such persons as they should be found to belong to. He accordingly seized upon the barrels, and disposed of several of them at eleven pounds four shillings per barrel, Douglas protesting loudly against his procedure. On a petition, representing how the animals had been killed and secured, Wilkie was ordained to pay over the money to Douglas, deducting only his reasonable charges.

FIG. 23. A few hot-headed Perthshire Jacobites, including [George] Graham of Inchbrakie, David Oliphant of Culteuchar, and George Graham of Pitcairns, with two others designed as ensigns, met to-day at the village of Dunning, with some other officers of the government troops, and, getting drink, began to utter various insolencies. They drank the health of King James, 'without calling him the late king,' and further proceeded to press the same toast upon the government officers. One of these, Ludovick Grant, quarter-master of Lord Rollo's troop, was prudentially retiring from this dangerous society, when Ensign Mowat cocked a pistol at him, saying: 'Do you not see that some of us are King William's officers as well as you, and why will ye not drink the health as well as we?' Grant having asked him what he meant by that, Inchbrakie took the pistol, and fired it up the chimney—which seems to have been the only prudential proceeding of the day. The party continued drinking and brawling at the place, till James Hamilton, cornet of Rollo's troop, came with a party to seize them, when, drawing their swords, they beat back the king's officer, and were not without great difficulty taken into custody. Even now, so far from being repentant, Inchbrakie 'called for a dishful of aqua vitæ or brandy, and drank King James's health,' saying 'they were all knaves and rascals that would refuse it.' He said 'he hoped the guise would turn,' when Lord Rollo would not be able to keep Scotland, and he would get

Duncrub [Lord Rollo's house and estate] to himself. His fury against the soldiers extended so far, that he called for powder and ball to shoot the sentinels placed over him, and 'broke Alexander Ross's face with ane pint-stoup.' Even when borne along as prisoners to Perth, and imprisoned there, these furious gentlemen continued railing at Lord Rollo and his troop, avowing and justifying all they had done at Dunning.

The offenders, being brought before the Privy Council, gave in defences, which their counsel, Sir David Thores, advocated with such rash insolency that he was sent away to prison. The culprits were punished by fines and imprisonment. We find them with great difficulty clearing themselves out of jail six months after.¹

In religious contentions, there is a cowardice in the strongest ascendancy parties which makes them restlessly cruel towards insignificant minorities. The Roman Catholics in Scotland had never since the Reformation been more than a handful of people; but they had constantly been treated with all the jealous severity due to a great and threatening sect. Even now, when they were cast lower than at any former time, through the dismal failure of King James to raise them, there was no abatement of their troubles.

It was at this time a great inconveniency to any one to be a Catholic. As a specimen—Alexander Fraser of Kinnaries, on the outbreak of the Revolution, to obviate any suspicion that might arise about his affection to the new government, came to Inverness, and put himself under the view of the garrison there. Fears being nevertheless entertained regarding him, he was sent to prison. Liberated by General Mackay upon bail, he remained peaceably in Inverness till December last, when he was sent to Edinburgh, and there placed under restraint, not to move above a mile from town. He now represented the hardship he thus suffered, 'his fortune being very small, and the most of his living being only by his own labouring and industry.' 'His staying here,' he added, 'any space longer must of necessity tend to his own and his family's utter ruin.' With difficulty, the Lords were induced to liberate him under caution. MAR. 2.

Mr David Fairfoul, a priest confined in prison at Inverness, only regained his liberty by an extraordinary accident. James Sinclair of Freswick, a Caithness gentleman, had chanced a

¹ Privy Council Record.

1690. twelvemonth before to be taken prisoner by a French privateer, as he was voyaging from his northern home to Edinburgh. Having made his case known to the Scottish Privy Council, he was relieved in exchange for Mr Fairfoul (June 5, 1690).

About the end of the year, we find a considerable number of Catholics under government handling. Steven Maxwell, who had been one of the two masters in the Catholic college at Holyroodhouse, lay in durance at Blackness. John Abercrombie, 'a trafficker,' and a number of other priests recently collected out of the Highlands, were immured in the Tolbooth of Edinburgh. Another, named Mr Robert Davidson, of whom it was admitted that 'his opinion and deportment always inclined to sobriety and moderation, shewing kindness and charity to all in distress, even of different persuasions, and that he made it no part of his business to meddle in any affairs, but to live peaceably in his native country for his health's sake,' had been put into Leith jail, with permission to go forth for two hours a day, under caution to the amount of fifty pounds, lest his health should suffer.

At this very time, a fast was under order of the General Assembly, with sanction of the government, with a reference to the consequences of the late oppressive government, citing, among other things, 'the sad persecutions of many for their conscience towards God.'¹

APR. 25. It was declared in the legislature that there were 'frequent murders of innocent infants, whose mothers do conceal their pregnancy, and do not call for necessary assistance in the birth.' It was therefore statute, that women acting in this^{*} secretive manner, and whose babes were dead or missing, should be held as guilty of murder, and punished accordingly.² That is to say, society, by treating indiscretions with a puritanic severity, tempted women into concealments of a dangerous kind, and then punished the crimes which itself had produced, and this upon merely negative evidence.

Terrible as this act was, it did not wholly avail to make women brave the severity of that social punishment which stood on the other side. It is understood to have had many victims. In January 1705, no fewer than four young women were in the Tolbooth of Aberdeen at once for concealing pregnancy and

¹ Privy Council Record.

² Scots Acts, iii. 810.

parturition, and all in a state of such poverty that the authorities had to maintain them. On the 23d July 1706, the Privy Council dealt with a petition from Bessie Muckieson, who had been two years 'incarcerat' in the Edinburgh Tolbooth on account of the death of a child born by her, of which Robert Bogie in Kennieston, in Fife, was the father. She had not concealed her pregnancy, but the infant being born in secret, and found dead, she was tried under the act.

At her trial she had made ingenuous confession of her offence, while affirming that the child had not been 'wronged,' and she protested that even the concealment of the birth was 'through the treacherous dealing and abominable counsel of the said Robert Bogie.' 'Seeing she was a poor miserable object, and an ignorant wretch destitute of friends, throwing herself at their Lordships' footstool for pity and accustomed clemency'—petitioning that her just sentence might be changed into banishment, 'that she might be a living monument of a true penitent for her abominable guilt'—the Lords looked reluctantly on the case, and adjudged Bessie to pass forth of the kingdom for the remainder of her life.¹

It was seldom that such leniency was shewn. In March 1709, a woman named Christian Adam was executed at Edinburgh for the imputed crime of child-murder, and on the ensuing 6th of April, two others suffered at the same place on the same account. In all these three cases, occurring within four weeks of each other, the women had allowed their pregnancy and labour to pass without letting their condition be known, or calling for the needful assistance, Adam acting thus at the entreaty of her lover, 'a gentleman,' who said it would ruin him if she should declare her state. Another, named Bessie Turnbull, had been entirely successful in concealing all that happened; but the consciousness of having killed her infant haunted her, till she came voluntarily forward, and gave herself up. At the scaffold, Adam 'gave the ministers much satisfaction;' Margaret Inglis 'did not give full satisfaction to the ministers;' Turnbull 'seemed more affected than her comrade, but not so much as could be wished.'²

Our old acquaintance, Captain John Slezer, turns up at this time in an unexpected way. Three or four months before, he

¹ Privy Council Record.

² Contemporary broadsides.

1690. had obtained a commission as captain of artillery from their majesties, and now he was about to leave Edinburgh on duty; but, lo, John Hamilton, wright, burgess of Edinburgh, 'out of a disaffection to their majesties and the present government,' gave orders to George Gilchrist, messenger, to put in execution letters of caption against the captain, for a debt due by him, 'albeit he [Slezer] the night before offered him satisfaction of the first end of the money.' The Council, 'understanding that the same has been done out of a design to retard their majesties' service, called for Hamilton, and, in terms of the late act of parliament, desired him to take the oath of allegiance and assurance, which he refused to do.' They therefore ordained him to be committed prisoner to the Tolbooth of Edinburgh, and 'declares Captain Slezer to be at liberty to prosecute his majesty's service.' The debtor and creditor might thus be said to have changed places: one can imagine what jests there would be about the case among the Cavalier wits in the Laigh Coffeehouse—how it would be adduced as an example of that vindication of the laws which the Revolution professed to have in view—how it would be thought in itself a very good little Revolution, and well worthy of a place in the child's toy picture of *The World Turned Upside Down*.

After a six weeks' imprisonment, Hamilton came before the Council with professions of peaceable inclination to the present government, and pleaded that he was valetudinary with gravel, much increased by reason of his confinement, 'and, being a tradesman, his employment, which is the mean of his subsistence, is altogether neglected by his continuing a prisoner,' and he might be utterly ruined in body, family, and estate, if not relieved. Therefore the Lords very kindly liberated this delinquent creditor, he giving caution to live inoffensively in future, and reappear if called upon.

We find a similar case a few years onward. Captain William Baillie of Colonel Buchan's regiment was debtor to Walter Chiesley, merchant in Edinburgh, to the extent of three thousand merks, for satisfaction of which he had assigned his estate, with power to uplift the rents. He was engaged in Edinburgh on the recruiting service, when Chiesley, out of malice, as was insinuated, towards the government of which Baillie was the commissioned servant, had him apprehended on caption for the debt, and put into the Tolbooth of Edinburgh. Thus, as his petition to the Privy Council runs (February 7, 1698), 'he is rendered incapable of executing that important duty he is upon, which will many

ways prejudice their majesties' service;' for, 'if such practices be allowed, and are unpunished, there should not ane officer in their majesties' forces that owes a sixpence dare adventure to come to any mercat-town, either to make their recruits or perform other duty.' For these good reasons, Baillie craved that not only he be immediately liberated, but Walter Chiesley be censured 'for so unwarrantable ane act, to the terror of others to do the like.'

The Council recommended the Court of Session to expedite a suspension, and put at liberty the debtor; but they seem to have felt that it would be too much to pass a censure on the merchant for trying to recover what was justly owing to him.

But for our seeing creditors treated in this manner for the conveniency of the government, it would be startling to find that the old plan of the *supersedere*, of which we have seen some examples in the time of James VI., was still thought not unfit to be resorted to by that *régime* which had lately redeemed the national liberties.

James Bayne, wright in Edinburgh—the same rich citizen whose daughter's clandestine nuptials with Andrew Devoe, the posture-master, made some noise a few years back¹—had executed the carpentry-work of Holyroodhouse; but, like Balunkin in the ballad, 'payment gat he nane.' To pay for timber and workmen's wages, he incurred debts to the amount of thirty-five thousand merks (about £1944 sterling), which soon increased as arrears of interest went on, till now, after an interval of several years, he was in such a position, that, supposing he were paid his just dues, and discharged his debts, there would not remain to him 'one sixpence' of that good stock with which he commenced the undertaking.

At the recommendation of 'his late majesty [Charles II.],' the Lords of the Treasury had considered the case, and found upwards of £2000 sterling to be due to James Bayne, 'besides the two thousand pounds sterling for defalcations and losses, which they did not fully consider,' and they consequently 'recommended him to the Lords of Session for a suspension against his creditors, ay, and while the money due to him by the king were paid.' This he obtained; 'but at present no regard is had to it.' Recently, to satisfy some of his most urgent creditors, the Lords of the Treasury gave him an order

¹ *Domestic Annals*, ii. 384.

1680. for £500 upon their receiver, Maxwell of Kirkconnel; but no funds were forthcoming. His creditors then fell upon him with great rigour, and Thomas Burnet, merchant in Edinburgh, from whom he had been a borrower for the works at the palace, had now put him in jail, where he lay without means to support himself and his family.

Bayne craved from the Privy Council that the two thousand pounds already admitted might as soon as possible be paid to him, and that, meanwhile, he should be liberated, and receive a protection from his creditors, 'whereby authority will appear in its justice, the petitioner's creditors be paid, and no tradesman discouraged to meddle in public works for the advancement of what is proper for the government to have done.' The Privy Council considered the petition, and recommended the Lords of Session 'to expedite ane suspension and charge to put to liberty' in favour of James Bayne, on his granting a disposition of his effects in favour of his creditors.¹

It was, after all, fitting that the government which interfered, for its own conveniency, to save its servants from the payment of their just debts, should stave off the payment of their own, by similar interpositions of arbitrary power.

AUG. The 'happie revolution' had not made any essential change in the habits of those Highlanders who lived on the border of the low countries. It was still customary for them to make periodical descents upon Morayland, Angus, the Stormont, Strathearn, and the Lennox, for 'spreaths' of cattle and other goods.

Sir Robert Murray of Abercairney, having lands in Glenalmond and thereabouts, employed six men, half of whom were Macgregors, as a watch or guard for the property of his tenants. These men, coming one day to the market of Monzie, were informed that a predatory party had gone down into the low country, and 'fearing that they might, in their return, come through Sir Robert's lands, and take away ane hership from his tenants,' they lost no time in getting the land, over which they were likely to pass, cleared of bestial. They were refreshing themselves after their toil at the kirk-town of Monzie, when the caterans came past with their booty. Enraged at finding the ground cleared, the robbers seized the six men, and carried them away as prisoners.

A few days after, having regained their liberty, they were

¹ Privy Council Record.

apprehended by Lord Rollo, on a suspicion of having been accomplices of the robbers, by whom it appeared his lordship's tenants had suffered considerably; and they were immediately dragged off to Edinburgh, and put into the Canongate jail. There they lay for two months, 'in a very starving condition, and to the ruin of their poor families at home;' when at length, Lord Rollo having failed to make good anything against them, and Sir Robert Murray having undertaken for their appearance if called upon, they were allowed to go home, with an order to the governor of Drummond Castle for the restoration of their arms.

On the 22d January 1691, Lord Rollo represented to the Privy Council that 'in the harvest last, the Highland robbers came down and plundered his ground, and because of his seeking redress according to law, they threaten his tenants with another depredation, and affrights them so as they are like to leave the petitioner's lands, and cast them waste.'¹ The matter was remitted to the Commander of the Forces.²

¹ Privy Council Record.

² A picturesque glimpse of the Highland marauding of this period was obtained some years ago at second-hand from the memory of William Bane Macpherson, who died in 1777 at the age of a hundred. 'He was wont to relate that, when a boy of twelve years of age, being engaged as *buachaille* [herd-boy] at the *summering* [i. e., summer grazing] of Biallid, near Dalwhinnie, he had an opportunity of being an eye-witness to a *creagh* and pursuit on a very large scale, which passed through Badenoch. At noon on a fine autumnal day in 1689, his attention was drawn to a herd of black-cattle, amounting to about six score, driven along by a dozen of wild Lochaber men, by the banks of Loch Erroch, in the direction of Dalunchart in the forest of Alder, now Ardverrick. Upon inquiry, he ascertained that these had been "lifted" in Aberdeenshire, distant more than a hundred miles, and that the reivers had proceeded thus far with their booty free from molestation and pursuit. Thus they held on their way among the wild hills of this mountainous district, far from the haunts of the semi-civilised inhabitants, and within a day's journey of their home. Only a few hours had elapsed after the departure of these marauders, when a body of nearly fifty horsemen appeared, toiling amidst the rocks and marshes of this barbarous region, where not even a footpath helped to mark the intercourse of society, and following on the trail of the men and cattle which had preceded them. The troop was well mounted and armed, and led by a person of gentleman-like appearance and courteous manners; while, attached to the party, was a number of horses carrying bags of meal and other provisions, intended not solely for their own support, but, as would seem from the sequel, as a ransom for the *creagh*. Signalling William Bane to approach, the leader minutely questioned him about the movements of the Lochaber men, their number, equipments, and the line of their route. Along the precipitous banks of Loch Erroch this large body of horsemen wended their way, accompanied by William Bane, who was anxious to see the result of the meeting. It bespoke spirit and resolution in those strangers to seek an encounter with the robbers in their native wilds, and on the borders of that country, where a signal of alarm would have raised a numerous body of hardy Lochaber men, ready to defend the *creagh*, and punish the pursuers. Towards nightfall, they drew near the encampment of the thieves at Dalunchart, and observed them busily engaged in roasting, before a large fire, one of the beeves, newly slaughtered.

'A council of war was immediately held, and, on the suggestion of the leader, a flag of

1890.
Aug. 16.

Andrew Cockburn, the post-boy¹ who carried the packet or letter-bag on that part of the great line of communication which lies between Cockburnspath and Haddington, had this day reached a point in his journey between the Alms-house and Hedderwick Muir, when he was assailed by two gentlemen in masks; one of them 'mounted on a blue-gray horse, wearing a stone-gray coat with brown silk buttons;' the other 'riding on a white horse, having a white English gray cloak coat with wrought silver thread buttons.' Holding pistols to his breast, they threatened to kill him if he did not instantly deliver up 'the packet, black box, and by-bag' which he carried; and he had no choice but to yield. They then bound him, and, leaving him tied by the foot to his horse, rode off with their spoil to Garlton House near Haddington.

As the packet contained government communications besides the correspondence of private individuals, this was a crime of a very high nature, albeit we may well believe it was committed on political impulse only. Suspicion seems immediately to have alighted on James Seton, youngest son of the Viscount Kingston, and John Seton, brother of Sir George Seton of Garlton; and Sir Robert Sinclair, the sheriff of the county, immediately sought for these young gentlemen at their father's and brother's houses, but found them not. With great hardihood, they came to Sir Robert's house next morning, to inquire as innocent men why they were searched for; when Sir Robert, after a short examination in presence of the post-boy, saw fit to have them disarmed and sent off to Haddington. It was Sunday, and Bailie Lauder, to whose house they came with their escort, was about to go to church. If the worthy bailie is to be believed, he thought their going to the sheriff's a great presumption of their innocence. He admitted, too, that Lord Kingston had come and spoken to him that morning.² Anyhow, he concluded that it might be enough in the meantime if he afforded them a room in his house, secured

truce was forwarded to the Lochaber men, with an offer to each of a bag of meal and a pair of shoes, in ransom for the herd of cattle. This offer, being viewed as a proof of cowardice and fear, was contemptuously rejected, and a reply sent, to the effect that the cattle, driven so far and with so much trouble, would not be surrendered. Having gathered in the herd, both parties prepared for action. The overwhelming number of the pursuers soon mastered their opponents. Successive discharges of firearms brought the greater number of the Lochaber men to the ground, and in a brief period only three remained unhurt, and escaped to tell the sad tale to their countrymen.'—*Inverness Courier*, August 17, 1847.

¹ This post-boy appears to have been forty-four years old.

² Lord Viscount Kingston was a cadet of the Winton family, and had delivered a Latin oration to Charles I., at his father's house of Seton, in 1683.

their horses in his stable, and left them under charge of two of the town-officers. Unluckily, however, he required the town-officers, as usual, to walk before him and his brother-magistrates to church; which, it is obvious, interfered very considerably with their efficiency as a guard over the two gentlemen. While things were in this posture, Messrs Seton took the prudent course of making their escape. As soon as the bailie heard of it, he left church, and took horse after them with some neighbours, but he did not succeed in overtaking them.

The Privy Council had an extraordinary meeting, to take measures regarding this affair, and their first step was to order Bailie Lauder and the two town-officers into the Tolbooth of Edinburgh as close prisoners. A few days afterwards, the magistrate was condemned by the Council as guilty of plain fraud and connivance, and declared incapable of any public employment. William Kaim, the smith at Lord Kingston's house of Whittingham, was also in custody on some suspicion of a concern in this business; but he and the town-officers were quickly liberated.¹

John Seton was soon after seized by Captain James Denholm on board a merchant-vessel bound for Holland, and imprisoned in the Castle of Edinburgh. He underwent trial in July 1691, and by some means escaped condemnation. A favourable verdict did not procure his immediate liberation; but, after three days, he was dismissed on caution to return into custody if called upon. This final result was the more remarkable, as his father was by that time under charge of having aided in the betrayal of the Bass.²

William Bridge, an Englishman, had come to Scotland about ten years ago, at the invitation of a coppersmith and a founder in Edinburgh, to 'give them his insight in the art of casting in brass;' and now they had imparted their knowledge to James Miller, brasier in the Canongate. Bridge petitioned the Privy Council for some charity, 'seeing he left his own kingdom for doing good to this kingdom and the good town of Edinburgh.' The Council took that way of proving their benevolence on which Mr Sidney Smith once laid so much stress—'they recommend to

Aug. 16.

¹ In the parliament which sat down in September, robbing the post-packet was declared to be 'robbery,' to be punished with death and confiscation of movables.—*Scots Acts*.

² Privy Council Record.

1692. the magistrates of Edinburgh to give the petitioner such charity as he deserves.¹

AUG. 24. The monopoly of the manufacture and sale of playing-cards, which was conferred some years back on Peter Bruce, engineer, had been transferred by him to James Hamilton of Little Earnock, together with a paper-mill which he had built at Restalrig, and two machines for friezing cloth. Hamilton now petitioned for, and obtained the Privy Council's confirmation of this exclusive right, in consideration of his great expenses in bringing home foreign workmen, and putting his little manufactory in order.²

AUG. Many gentlemen and others, who for several months had been prisoners in the Edinburgh Tolbooth, were transported to Blackness, Leith, and Bass, leaving George Drummond, the 'Goodman' of the prison, unpaid for their aliment and house-dues. The Council ordained the keepers of the prisons of Blackness and Bass to detain these gentlemen till they had satisfied Drummond, whatever orders might come for their enlargement.

In another case, which came before them in the ensuing January, the Council acted much in the spirit of their late ordinance in favour of William Bridge the brass-founder. Gavin Littlejohn, a prisoner in the Edinburgh Tolbooth, had been ordered by them to be set at liberty, but he was detained by his jailer for fourscore pounds Scots of house-dues. Being poor, 'he was no ways able to make payment, albeit he should die in prison,' and he therefore craved the Lords that they would, as usual in such cases, recommend the discharge of his debt by the treasury. The Lords, having considered this petition, 'recommend to George Drummond, master of the Tolbooth, to settle with the petitioner, that he may be set at liberty.'³

SEP. Law had not yet so well asserted her supremacy in Scotland as to entirely banish the old inclination to enforce an assumed right by the strong hand. Of the occasional violences still used in debatable matters of property, a fair specimen is presented by a case which occurred at this time between Andrew Johnstone of Lockerby and Mrs Margaret Johnstone, the widow of his eldest

¹ Privy Council Record.

² Privy Council Record. The privileges of Mr Hamilton were confirmed by the Estates in June 1693.

³ Privy Council Record.

son. For a year or two past, Mrs Margaret, supported by her father, Sir James Johnstone of Westerhall, and with the aid of sundry servants of her own and her father, had been accustomed to molest Andrew Johnstone, his friends and tenants, in the possession of their lands, and to threaten them with acts of violence. They had been obliged to take out a writ of lawborrows against the wrathful lady and her 'accomplices;' but it had proved of no avail in inducing peaceful measures.

One day in the last spring, as Johnstone's tenants were labouring their lands at Turrie-muir, his furious daughter-in-law and her 'accomplices' came upon them, loosed the horses from their ploughs and harrows, cut the harness, and beat the workmen. James Johnstone, a younger son of Lockerby, was present, and on his trying to prevent these outrages, they fell upon him violently, and wounded him under the eye with a penknife, 'to the great hazard of the loss of his eye.'

In June, a set of Mrs Margaret's friends, headed by David Carlyle, and his sons William and Robert, took an opportunity of making a deadly personal assault upon Mrs Mary Johnstone, wife of the Laird of Lockerby. The poor lady was cut down, and left as dead, while her friend, Mrs Barbara Hill, was run through the thigh with a sword. These ladies had since lain under the care of surgeons, and it was uncertain whether they would live or die. Janet Geddes, servant of Mungo Johnstone of Netherplace, a friend of Lockerby, had also been assailed by the Carlyles, pulled to the ground by the hair of her head, cruelly beaten and wounded, and nearly choked with a horn snuff-box which they endeavoured to force down her throat.

In May, a group of Mrs Margaret's friends came armed to the lands of Hass and Whitwyndhill, with 'horrid and execrable oaths,' and 'masterfully drove away the sheep and bestial.' The poor tenants and their wives came to rescue their property, when the assailing party rode them down, and beat them so sore, that several had to be taken home in blankets. Not long after, Westerhall's servants came to the same lands, and took by violence from Robert Johnstone of Roberthill fourteen kine and oxen, 'which were reset by Sir James, being carried home to his house and put in his byres, and set his mark upon them, and thereafter sold ten of the said beasts, ilk ane being worth forty pounds.'

Last, and worst of all, Walter Johnstone, brother of Mrs Margaret, had come with attendants to the house of Netherplace by night, broke in, and beat the owner, Mungo Johnstone, in a

1690. most outrageous manner, besides squeezing the hands of his son, a boy, that the blood sprung below his nails.

The matter was brought before the Privy Council by complaints from both parties, and as the awards went rather against Lockerby and his son for keeping his daughter-in-law out of her rights, than against her and her friends for their violent procedure on the other side, we may reasonably infer that the James VI. style of justice was far from extinct in the land.

A case of violent procedure on the part of a landlord towards a tenant occurred about the same time. Catherine Herries possessed the lands of Mabie, in the stewartry of Kirkcudbright, in liferent. In the early part of 1689, she entered into a communing with one Robert Sturgeon, to set to him the small farm of Crooks, promising him a nine years' lease; and he was admitted to possession, though upon a verbal agreement only. He immediately addressed himself to the improvement of the ground by ditching and draining, and in a year laid out upon it two hundred merks, or something more than eleven pounds sterling. Meanwhile, the lady united herself to John Maxwell of Carse, 'a notorious papist,' who had not long before been searched for as a person dangerous to the new government. When the lady learned that Sturgeon had been active among the searchers, she seems to have resolved to discontinue his connection with her estate. At Lammas 1690, alleging that he had been warned away at the preceding Pasch, she caused him to be summoned before the steward-depute of Kirkcudbright, who decreed him to remove within an irregularly brief period. He had no resource but to go to Edinburgh, and sue for a suspension of the decree; but when he returned with this document, he found that the lady, the day before, had violently ejected his wife, bairns, and bestial, 'whereof many were lost.' He intimated the suspension; but Lady Mabie, disregarding it, obtained a precept from the steward-depute, ordering him to answer for a thousand merks on account of his unlawful intrusion upon her estate, and authorising his imprisonment till this was paid. Without any other warrant, as Sturgeon complains to the Council, the lady, under cloud of night, sends fifteen or sixteen persons, whereof John Lanerick, writer in Dumfries, was ringleader, with swords and staves, and takes the complainer out of his bed, as if he had been a notorious malefactor, and carries him bound prisoner to the Tolbooth of Kirkcudbright, where he lay six weeks, his wife, bairns, and goods being again ejected, and his house shut up.

In such a relation of parties, even had the proceedings of Lady 1690.¹ Mabie and her husband been more regular, the Lords of the Privy Council could have no difficulty in deciding. They fined the lady and her husband in two hundred merks, one half to go as compensation to the ejected tenant.¹

If the author could be allowed to indulge in a little personality, ^{SER.} he would recall a walk through the streets of Edinburgh with Sir Walter Scott in the year 1824—one of many which he was privileged to enjoy, and during which many old Scottish matters, such as fill this work, were discussed. Sir Walter, having stopped for a moment in the crowd to exchange greetings with a portly middle-aged man, said, on coming up to continue his walk: 'That was Campbell of Blythswood—we always shake hands when we meet, for there is some old *cousinred* between us.' Let this occurrence, only redeemed from triviality by its bringing up a peculiar Scotch phrase unknown to Jamieson, be introduction to a characteristic letter of the year 1690, which seems worthy of a place here. First be it noted, the 'cousinred' between the illustrious fictionist of our century and the great laird of the west, took its origin two centuries earlier, thus forming a curious example of the tenacity of the Scottish people regarding relationships. The paternal great-grandfather of Sir Walter Scott was a person of his own name, the younger of the two sons of that Scott of Raeburn whom we have seen in 1665 set aside from the use of his property, the education of his family, and the enjoyment of his liberty, in consequence of his becoming a Quaker. The young Walter Scott spent his mature life in Kelso; we find him spoken of in a case under the attention of the Privy Council as a 'merchant' there: from devotion to the House of Stuart, he never shaved after the Revolution, and consequently acquired the nickname of *Beardie*. It was his fortune, in the month of September 1690, to ride to Glasgow, and there wed a lady of a noted mercantile family, being daughter to Campbell of Silvercraigs, whose uncle was the first Campbell of Blythswood, provost of Glasgow in 1660. The house of the Campbells of Silvercraigs in the Saltmarket was a handsome and spacious one, which Cromwell had selected for his residence when he visited Glasgow.² Here, of course, took place the wedding of this young offshoot of Roxburghshire gentility

¹ Privy Council Record.

² A portrait of the house, and some particulars of the family, are to be found in Robert Stuart's *Views and Notices of Glasgow in Former Times*, 4to, 1847.

1660. with Mary Campbell, the niece of Blythswood, the result, most probably, of a line of circumstances originating in that tyrannical decret of the Privy Council which ordained the Quaker Raeburn's bairns to be taken from him, and educated in a sound faith at the schools of Glasgow (see under July 5, 1666).

The letter in question is one which Walter Scott wrote to his mother immediately after his marriage, stating the fact, and giving her directions about horses and certain articles to be sent to him against his intended return home with his bride. It is merely curious as illustrating the personal furnishings of a gentleman in that age, and the manner in which he travelled.

'DEAR MOTHER—The long designed mariadage betwixt Mary Campbell and mee was accomplished upon the 18th of this instant, and I having stayed here longer than I thought to doe, thought fitt to lett you know soe much by this. I have sent home Mr Robert Elliott his mare with many thanks, and tell him she has been fed since I came from home with good hay and corne, and been more idle as rideing. I have sent you the key of the studdy, that you may send mee with Robt Paterson and my horses my two cravatts that are within, and one pare I suppose within my desk the key and keep till I come home. As also send mee ane clene shirt, my hatt that is within my trunk send hither, and give to Robert Paterson, to putt one, another hat that is in itt—the trunk is open already. Send me out of ane bagge of rix dollars that you shall find in my desk, 30 rix dollars, and my little purse with the few pieces of gold. You will find there also two pairs of sleives and a plain cravatt: give with my hatts to Rot. my coat and old , to putt one, if they bec meet for him. Let Rot. come in by Edr and call at Dykes the shoe maker for my boots and one of the pairs of the shoes he has making for me, if they be ready, and bring them with him hither. Let him bring my own sadle and pistolls upon the one horse, and borrow my good sisters' syde sadle and bring upon the other. Lett him be sure to bee here upon Tuesday the thirteenth [thirtieth?] instant and desire him to be careful of all thir things. William Anderson² says he will come home with us. We are all in good health here. My wife with all the rest of us gives our service to you. Wee hope to see you upon the Saturday night after Rot. Paterson comes hither. We pray for God's blessing

¹ This must have been Lady Raeburn (Anne Scott of Ancrum).

² Probably his sister Isobel's husband, described in Burke as Captain Anderson.

and yours. I have writt to desire my brother to come again thatt 1692.
time hither and come home with us. God be with you, dear
mother. I am your loving sonne,

‘ W. Scott.

‘ Glasgow, Sept. 22, 1690.

‘ Iff my brother could bee here sooner, I wish he would come,
and Robt. also, for I mean to stay from home, and our time will
much depend on their coming.’

For a notice of a visit paid by Beardie to Glasgow in February
1714, on the occasion of the death of his father-in-law, see under
that date.

The Bible, New Testament, and a catechism, having recently Nov. 11.
been prepared in the Irish language, mainly for the use of the
Irish population, it was thought by some religiously disposed
persons in England, including some of Scottish extraction, that the
same might serve for the people of the Highlands of Scotland,
whose language was very nearly identical. It was accordingly
part of the duty of the General Assembly to-day to make arrange-
ments for receiving and distributing throughout the Highlands a
gift of three thousand Bibles, one thousand New Testaments, and
three thousand catechisms, which was announced to be at their
disposal in London. A thousand pounds Scots was petitioned for
from the Privy Council, to pay the expense of transporting the
books from London and sending them to the various northern
parishes.¹ It is to be regretted that so important an event as the
first introduction of an intelligible version of the Scriptures to a
large section of our population should be so meagrely chronicled.
We shall hereafter have much to tell regarding further operations
of the same kind in the northern portion of Scotland.

The domestic condition of the people is so much affected by Dec.
certain sacred principles of law, that the history and progress of
these becomes a matter of the first consequence. We have seen
how the new rulers acted in regard to the sacredness of the subject
from imprisonment not meant to issue in trial; we shall now
see how they comported themselves respecting the unlawfulness of
torture, which they had proclaimed as loudly in their Declaration
or Claim of Rights.² We find the Duke of Hamilton, within three
months of his presiding at the passing of this ‘ Declaration,’³

¹ *Acts of General Assembly*, 1690, p. 18.

² See page 10.

1690. writing to Lord Melville about a little Jacobite conspiracy—
 ‘Wilson can discover all: if he does not confess freely, it’s
 like he may get either the boots or the thumbikens.’¹ When,
 at the crisis of the battle of the Boyne, the plot of Sir James
 Montgomery of Skelmorley, the Earl of Annandale, Lord Ross,
 and Robert Fergusson, for the restoration of King James,
 broke upon the notice of the new government, a Catholic
 English gentleman named Henry Neville Payne, who had been
 sent down to Scotland on a mission in connection with it, was
 seized by the common people in Dumfriesshire, and brought to
 Edinburgh. Sir William Lockhart, the solicitor-general for
 Scotland, residing in London, then coolly wrote to the Earl of
 Melville, secretary of state at Edinburgh, regarding Payne, that
 there was no doubt he knew as much as would hang a thousand;
 ‘but,’ says he, ‘except you put him to the torture, he will shame
 you all. Pray you *put him in such hands as will have no pity on
 him*; for, in the opinion of all, he is a desperate cowardly fellow.’

The Privy Council had in reality by this time put Payne to the
 torture; but the ‘cowardly fellow’ proved able to bear it without
 confession. On the 10th of December, under instructions signed
 by the king, and countersigned by the Earl of Melville, the pro-
 cess was repeated ‘gently,’ and again next day after the manner
 thus described by the Earl of Crawford, who presided on the occa-
 sion: ‘About six this evening, we inflicted [the torture] on both
 thumbs and one of his legs, with *all the severity that was consistent
 with humanity*, even unto that pitch that *we could not preserve
 life and have gone further*, but without the least success. . . .
 He was so manly and resolute under his suffering, that such of
 the Council as were not acquainted with all the evidences, were
 brangled and began to give him charity, that he might be innocent.
 It was surprising to me and others, that flesh and blood could,
 without fainting, and in contradiction to the grounds we had
 insinuat of our knowledge of his accession in matters, *endure the
 heavy penance he was in for two hours*. . . . My stomach is
 truly so far out of tune, by being a witness to an act so far cross to
 my natural temper, that I am fitter for rest than anything else.’

The earl states, that he regarded Payne’s constancy under the
 torture as solely owing to his being assured by his religion that
 it would save his soul and place him among the saints. His

* ¹ *Melville Correspondence*, p. 150. The parliament, on the 18th July 1690, gave a warrant for subjecting one Muir or Ker to the torture, in order to expiscate the truth regarding the murder of an infant, of which he was vehemently suspected.

lordship would never have imagined such self-consideration as ^{1690.} supporting a westland Whig on the ladder in the Grassmarket.¹ The conviction doubtless made him the more resolute in acting as 'the prompter of the executioner to increase the torture to so high a pitch'—his own expression regarding his official connection with the affair. It is curious that none ever justly apprehend, or will admit, the martyrdoms of an opposite religious party. Always it is obstinacy, vanity, selfishness, or because they have no choice. Sufferings for conscience's sake are only acknowledged where one's own views are concerned. It must be admitted as something of a deduction from the value of martyrdom in general.

We after this hear of Payne being in a pitiable frame of body under close confinement in Edinburgh Castle, no one being allowed to have access to him but his medical attendants. For a little time there was a disposition to give him the benefit of the rule of the Claim of Rights regarding imprisonment, and on the 6th January 1691, it was represented to King William that to keep Payne in prison without trial was 'contrare to law.' Nevertheless, and notwithstanding repeated demands for trial and petitions for mercy on his part, Neville Paync was kept in durance more or less severe for year after year, until *ten* had elapsed! During this time, he became acquainted with the principal state-prisons of Scotland, including the Edinburgh Tolbooth.

At length, on the 4th of February 1701, the wretched man sent a petition to the Privy Council, shewing 'that more than ten years' miserable imprisonment had brought [him] to old age and extreme poverty, accompanied with frequent sickness and many other afflictions that are the constant attendants of both.' He protested his being all along wholly unconscious of any guilt. He was then ordered to be liberated, without the security for re-appearance which was customary in such cases.²

Scotland is sometimes alluded to in the south, with an imperfect kind of approbation, as an excessively strait-laced country; but if our neighbours were to consult the records of the General Assembly

1691.
JAN.

¹ Mr Burton, in his *History of Scotland from 1689 to 1748*, gives the following account of this nobleman: 'The Earl of Crawford, made chairman of the Estates and a privy councillor, was the only statesman of the day who adopted the peculiar demeanour and scriptural language of the Covenanters. It is to him that Burnet and others attribute the severities against the Episcopal clergymen, and the guidance of the force brought to bear in the parliament and Privy Council in favour of a Presbyterian establishment.'

² *Melville Correspondence*. Privy Council Record.

1691. on the subject, they would find it powerfully defended from all such charges. An act was passed by that venerable body for a national fast to be held on the second Thursday of this month, and the reasons stated for the pious observance are certainly of a kind to leave the most free-living Englishman but little room for reproach. It is said: 'There hath been a great neglect of the worship of God in public, but especially in families and in secret. The wonted care of sanctifying the Lord's day is gone . . . cities full of violence . . . so that blood touched blood. Yea, Sodom's sins have abounded amongst us, pride, fulness of blood, idleness, vanities of apparel, and shameful sensuality.' Even now, it is said, 'few are turned to the Lord; the wicked go on doing wickedly, and there is found among us to this day shameful ingratitude for our mercies [and] horrid impenitency under our sins. . . . There is a great contempt of the gospel, and great barrenness under it . . . great want of piety towards God and love towards man, with a woful selfishness, every one seeking their own things, few the public good or ane other's welfare.'

The document concludes with one noble stroke of, shall we say, self-portraiture?—'the most part more ready to censure the sins of others, than to repent of their own.'¹

JAN. 20. John Adair, mathematician, had been proceeding for some years, under government patronage and pay, in his task of constructing maps of the counties of Scotland, 'expressing therein the seats or houses of the nobility and gentry, the most considerable rivers, waters, lochs, bays, firths, roads, woods, mountains, royal burghs, and other considerable towns of each shire'—a work 'honourable, useful, and necessary for navigation.' He was now hindered in his task, as he himself expressed the matter, 'by the envy, malice, and oppression of Sir Robert Sibbald, Doctor of Medicine, who, upon pretence of a private paction and contract, extorted through the power he pretended, took the petitioner [Adair] bound not to survey any shire or pairt thereof without Sir Robert his special advice and consent, and that he should not give copies of these maps to any other person without Sir Robert his special permission, under a severe penalty.'

The Lords of the Privy Council, on Adair's petition, were at no loss to see how unjust the Jacobite Sir Robert's proceedings

¹ Privy Council Record.

were towards the nation, which, by parliamentary grant, was 1691. paying Adair for his work. They therefore ordered the hydrographer to go on with his work, notwithstanding Sibbald's opposition, ordering the latter to deliver up the contract on which it rested.

Sir Robert Sibbald afterwards reclaimed against the award of the Privy Council, setting forth a great array of rights connected with the case; but he spoke from the wrong side of the hedge, and his claim was refused.¹

Captain Burnet of Barns was now recruiting in Edinburgh for a JAN. 21. regiment in Holland. As the service was so much to be approved of, it was the less important to be scrupulous about the means of promoting it. A fatherless boy of fourteen, named George Miller, was taken up to Burnet's chamber, and there induced to accept a piece of money of the value of fourteen shillings Scots, which made him a soldier in the captain's regiment. He seems to have immediately expressed unwillingness to be a soldier; but the captain caused him instantly to be dragged to the Canongate Tolbooth, and there kept in confinement. Some friend put in a petition for him to the Privy Council, setting forth that he had been trepanned, and 'had no inclination to be a soldier, but to follow his learning, and thereafter other virtuous employments for his subsistence.' It was even hinted that the boy's father, Robert Miller, apothecary in Edinburgh, had been 'a great sufferer in the late times.' All was in vain; two persons having given evidence that the boy had 'taken on willingly' with Captain Burnet, the Council ordained him to be delivered to that gentleman, 'that he may go alongst with him to Holland in the said service.'

Burnet's style of recruiting was by no means a singularity. A few days after the above date, as John Brangen, servant to Mr John Sleigh, merchant in Haddington, was going on a message to a writer's chamber in Edinburgh with his master's cloak over his arm, he was seized by Sergeant Douglas, of Douglas of Kelhead's company, carried to the Canongate Tolbooth, and thence hurried like a malefactor on board a ship in the road of Leith bound for Flanders. This man, though called servant, was properly clerk and shopman to his master, who accordingly felt deeply aggrieved by his abduction. At the same time, Christian Wauchope

¹ Privy Council Record.

1691. petitioned for the release of her husband, William Murdoch, who had been 'innocently seized' and carried off eight days ago by Captain Douglas's men, 'albeit he had never made any paction with them;' 'whereby the petitioner and her poor children will be utterly starved.' Even the town-piper of Musselburgh, James Waugh by name, while playing at the head of the troop, and thinking of no harm, had been carried off for a soldier. 'If it was true,' said his masters the magistrates, 'that he had taken money from the officers, it must have been through the ignorance and inadvertency of the poor man, thinking it was given him for his playing as a piper.' He had, they continued, been 'injuriously used in the affair by sinistrous designs and contrair to that liberty and freedom which all peaceable subjects ought to enjoy under the protection of authority.'

The government seems to have felt so far the necessity of acting up to their professions as the destroyers of tyranny that, in these and a few other cases, they ordered the liberation of the prisoners.

A few months later, occurred a private case in which something very like manstealing was committed by one of the parties in connection with this unscrupulous recruiting system.

- Aug. Robert Wilson, son of Andrew Wilson in Kelso, was servant to Mrs Clerkson, a widow, at Damhead (near Edinburgh?). On finding that his mistress was about to take a second husband, he raised a scandal against her, in which his own moral character was concerned, and she immediately appealed for redress to Master David Williamson, minister of St Cuthbert's parish. Two elders came to inquire into the matter—Wilson evaded them, and could not be found. Then she applied for, and obtained a warrant from a justice of peace to apprehend Wilson, who now took to hiding. Four friends of hers, James Bruntain, farmer at Craig Lockhart; David Rainie, brewer in Portsburgh; James Porteous, gardener at Saughton; and James Borthwick, weaver at Burrowmuirhead, accompanied by George Macfarlane, one of the town-officers of Edinburgh, came in search of Wilson, and finding him sleeping in the house of William Bell, smith in Merchiston, dragged him from bed, and in no gentle manner hurried him off to Macfarlane's house, where they kept him *tantum in privato carcere* for twenty-four hours. On his pleading for permission to go to the door for but a minute, swords were drawn, and he was threatened with instant death, if he offered to stir. Professedly, they were to take him before the justices; but a better conclusion to the adventure occurred to them. Captain Hepburn, an officer

about to sail with his corps to Holland, was introduced to the terror-stricken lad, who readily agreed to enlist with him, and accepted a dollar as earnest. Before he quitted the care of his captors, he signed a paper owning the guilt of raising scandal against his late mistress.

The father of the young man complained before the Privy Council of the outrage committed on his son, as an open and manifest riot and oppression, for which a severe punishment ought to be inflicted. He himself had been 'bereaved of a son whom he looked upon to be a comfort, support, and relief to him in his old age.' On the other hand, the persons complained of justified their acts as legal and warrantable. The Lords decided that Robert Wilson had 'unjustly been kept under restraint, and violence done to him;' but the reparation they allowed was very miserable—a hundred merks to the aggrieved father.¹

Nothing, in the former state of the country, is more remarkable in contrast with the present, than the miserable poverty of the national exchequer. The meagreness and uncertainty of the finances required for any public purpose prior to those happy times when a corrupt House of Commons was ready to vote whatever the minister wanted—the difficulties consequently attendant upon all administrative movements—it is impossible for the reader to imagine without going into an infinity of details. At a time, of course, when Scotland had a revenue of only a hundred thousand pounds a year, and yet a considerable body of troops to keep up for the suppression of a discontented portion of the people, the troubles arising from the lack of money were beyond description. The most trivial furnishings for the troops and garrisons remained long unpaid, and became matter of consideration for the Lords of the Privy Council. A town where a regiment had lain, was usually left in a state of desolation from unpaid debt, and had to make known its misery in the same quarter with but small chance of redress; and scores of state-prisoners in Edinburgh, Blackness, Stirling, and the Bass, were starving for want of the common necessities of life.

On the 18th of April 1690, the inhabitants of Kirkcaldy, Dysart, and Pathhead complained to the Privy Council, that for ten weeks of this year they had had Colonel Cunningham's regiment quartered amongst them. The soldiers, 'having nothing

¹ Privy Council Record.

1690. to maintain themselves, were maintained and furnished in meat and drink, besides all other necessaries, by the petitioners,' who, 'being for the most part poor and mean tradesmen, seamen, and workmen, besides many indigent widows and orphans,' were thus 'reduced to that extreme necessity as to sell and dispose of their household plenishing, after their own bread and anything else they had was consumed for maintenance of the soldiers.' They regarded the regiment as in their debt to the extent of £336, 6s. sterling, of which sum they craved payment, 'that they might not be utterly ruined, and they and their families perish for want of bread.' Payment was ordered, but when, or whether at all, it was paid, we cannot tell.

Another case of this nature, going far to justify the jokes indulged in by the English regarding the contemporary poverty of Scotland, occurs in the ensuing August, when the Council took up the case of James Wilkie of Portsburgh (a suburb of Edinburgh), complaining that the soldiers of three regiments lately quartered there, had gone away indebted to him for meat and drink to the extent of seventeen pounds Scots (£1, 8s. 4d.). 'Seeing the petitioner is very mean and poor, and not in a capacity to want that small sum, having nothing to live by but the trust of selling a tree of ale, his credit would be utterly broke for want thereof, unless the Council provide a remeed.' The Council ordained that the commanders of the regiments should see the petitioner satisfied by their soldiers.

In January 1691, the Council is found meditating on means for the satisfaction of James Hamilton, innkeeper, Leith, who had sent in accounts against officers of Colonel Cunningham's regiment for board and lodging, amounting to such sums as eight pounds each. At the same time, it had to treat regarding shoemakers' accounts owing by the same officers, to the amount of two and three pounds each. Even Ensign Houston's hotel-bill for 'thretteen shillings' is gravely deliberated on. And all these little bills were duly recommended to the lords of their majesties' treasury, in hopes they might be paid out of 'the three months' cess and hearth money.'¹

That such small bills, however, might infer a considerable amount of entertainment, would appear by no means unlikely, if we could believe a statement of Mr Burt, that General Mackay himself was accustomed, during his commandership in Scotland,

¹ Privy Council Record.

to dine at public-houses, 'where he was served with great variety, ¹⁰⁰⁰ and paid only two shillings and sixpence Scots—that is, twopence half-penny—for his ordinary.'¹ The fact has been doubted; but I can state as certain, that George Watson, the founder of the hospital in Edinburgh, when a young man residing in Leith, about 1680, used to dine at a tavern for fourpence. Even in the middle of the eighteenth century, Mr Colquhoun Grant, writer to the Signet, and a friend who associated with him, dined every day in a tavern in the Lawnmarket, for 'two groats the piece,' as they used to express it.

Amongst other claims on which the Council had to deliberate, was a very pitiable one from Mr David Muir, surgeon at Stirling. When General Mackay retreated to that town from 'the ruffie at Killiecrankie,'² Muir had taken charge of the sick and wounded of the government troops, 'there being none of their own chirurgeons present.' He 'did several times send to Edinburgh for droggs and other necessaries,' and was 'necessitat to buy a considerable quantity of claret wine for bathing and fomenting of their wounds.' His professional efforts had been successful; but as yet—after the lapse of eighteen months—he had received no remuneration; neither had he been paid for the articles he had purchased for the men; at the same time, the salary due to him, of ten pounds a year as chirurgeon of the castle, was now more than two years in arrear. It was the greater hardship, as those who had furnished the drugs and other articles were pressing him for the debt, 'for which he is like to be pursued.' Moreover, he protested, as something necessary to support a claim of debt against the state, that 'he has been always for advancing of his majesty's interest, and well affected to their majesties' government.'

The Council, in this case too, could only recommend the accounts to the lords of the treasury.³

¹ Burt's *Letters*, i. 128.

² A phrase of the time, found in the Privy Council Record.

³ John Callander, master-smith, petitioned the Privy Council in June 1689, regarding smith-work which he had executed for Edinburgh and Stirling Castles, to the amount of eleven hundred pounds sterling, whereof, though long due, he had 'never yet received payment of a sixpence.' On his earnest entreaty, three hundred pounds were ordered to be paid to account. On the ensuing 28d of August, he was ordained to be paid £6567, 17s. 2d., after a rigid taxing of his accounts, Scots money being of course meant. Connected with this little matter is an anecdote which has been told in various forms, regarding the estate of Craigforth, near Stirling. It is alleged that the master-smith, failing to obtain a solution of the debt from the Scottish Exchequer, applied to the English treasury, and was there so fortunate as to get payment of the apparent sum in English money. Having out of this unexpected

1661.
MAR. 2.

Sinclair of Mey, and a friend of his named James Sinclair, writer in Edinburgh, were lodging in the house of John Brown, victualler, in the Kirkgate of Leith, when, at a late hour, the Master of Tarbat and Ensign Andrew Mowat came to join the party. The Master, who was eldest son of the Viscount Tarbat, a statesman of no mean note, was nearly related to Sinclair of Mey. There was no harm meant by any one that night in the hostelry of John Brown; but before midnight, the floor was reddened with slaughter.

The Master and his friend Mowat, who are described on the occasion as excited by liquor, but not beyond self-control, were sitting in the hall drinking a little ale, while beds were getting ready for them. A girl named Jean Thomson, who had brought the ale, was asked by the Master to sit down beside him, but escaped to her own room, and bolted herself in. He, running in pursuit of her, blunderingly went into a room occupied by a Frenchman named George Poiret, who was quietly sleeping there. An altercation took place between Poiret and the Master, and Mowat, hearing the noise, came to see what was the matter. The Frenchman had drawn his sword, which the two gentlemen wrenched out of his hand. A servant of the house, named Christian Erskine, had now also arrived at the scene of strife, besides a gentleman who was not afterwards identified. At the woman's urgent request, Mowat took away the Master and the other gentleman, the latter carrying the Frenchman's sword. There might have now been an end to this little brawl, if the Master had not deemed it his duty to go back to the Frenchman's room to beg his pardon. The Frenchman, finding a new disturbance at his door, which he had bolted, seems to have lost patience. He knocked on the ceiling of his room with the fire-tongs, to awaken two brothers, Elias Poiret, styled *Le Sieur de la Roche*, and Isaac Poiret, who were sleeping there, and to bring them to his assistance.

These two gentlemen presently came down armed with swords and pistols, and spoke to their defenceless and excited brother at

wealth made a wadset on the estate of Craigforth, he ultimately fell into the possession of that property, which he handed down to his descendants.¹ John Callander was grandfather of a gentleman of the same name, who cultivated literature with assiduity, and was the editor of two ancient Scottish poems—*The Guberlunzie Man*, and *Christ's Kirk on the Green*. This gentleman, again, was grandfather to Mrs Thomas Sheridan and Lady Graham of Netherby.

¹ *Sir James Campbell's Memoirs. A Week at the Bridge of Allan*, by Charles Rogers, 1853, p. 334.

and the Master and Mowat in the hall. Jean Thomson roused her master to come and interfere for the preservation of the peace; but he came too late. The Master and Mowat were not seen making any assault; but a shot was heard, and, in a few minutes, it was found that the *Sieur de la Roche* lay dead with a sword-wound through his body, while Isaac had one of his fingers nearly cut off. A servant now brought the guard, by whom Mowat was soon after discovered hiding under an outer stair, with a bent sword in his hand, bloody from point to hilt, his hand wounded, and the sleeves of his coat also stained with blood. On being brought where the dead man lay, he viewed the body without apparent emotion, merely remarking he wondered who had done it.

The Master, Mowat, and James Sinclair, writer, were tried for the murder of *Elias Poiret*; but the jury found none of the imputed crimes proven. The whole affair can, indeed, only be regarded as an unfortunate scuffle arising from intemperance, and in which sudden anger caused weapons to be used where a few gentle and reasonable words might have quickly re-established peace and good-fellowship.¹

The three Frenchmen concerned in this affair were Protestant refugees, serving in the king's Scottish guards. The Master of Tarbat in due time succeeded his father as Earl of Cromarty, and survived the slaughter of *Poiret* forty years. He was the father of the third and last Earl of Cromarty, so nearly brought to Towerhill in 1746, for his concern in the rebellion of the preceding year, and who on that account lost the family titles and estates.

Down to this time, it was still customary for gentlemen to go Apr. armed with walking-swords. On the borders of the Highlands, dirks and pistols seem to have not unfrequently been added. Accordingly, when a quarrel happened, bloodshed was very likely to take place. At this time we have the particulars of such a quarrel, serving to mark strongly the improvements effected by modern civilisation.

Some time in August 1690, a young man named William Edmondstone, described as apprentice to Charles Row, writer to the Signet, having occasion to travel to Alloa, called on his master's brother, William Row of Inverallan in passing, and had an interview

¹ Justiciary Records.

1691. with him at a public-house in the hamlet of Bridge of Allan. According to a statement from him, not proved, but which it is almost necessary to believe in order to account for subsequent events, Inverallan treated him kindly to his face, but broke out upon him afterwards to a friend, using the words rascal and knave, and other offensive expressions. The same unproved statement goes on to relate how Edmondstone and two friends of his, named Stewart and Mitchell, went afterwards to inquire into Inverallan's reasons for such conduct, and were violently attacked by him with a sword, and two of them wounded.

The proved counter-statement of Inverallan is to the effect that Edmondstone, Stewart, and Mitchell tried, on the 21st of April 1691, to waylay him, with murderous intent, as he was passing between Dumblane and his lands near Stirling. Having by chance evaded them, he was in a public-house at the Bridge of Allan, when his three enemies unexpectedly came in, armed as they were with swords, dirks, and pistols, and began to use spiteful expressions towards him. 'He being all alone, and having no arms but his ordinary walking-sword, did rise up in a peaceable manner, of design to have retired and gone home to his own house.' As he was going out at the door, William Edmondstone insolently called to him to come and fight him, a challenge which he disregarded. They then followed him out, and commenced an assault upon him with their swords, Mitchell, moreover, snapping a pistol at him, and afterwards beating him over the head with the but-end. He was barely able to protect his life with his sword, till some women came, and drew away the assailants.

A few days after, the same persons came with seven or eight other 'godless and graceless persons' to the lands of Inverallan, proclaiming their design to burn and destroy the tenants' houses and take the laird's life, and to all appearance would have effected their purpose, but for the protection of a military party from Stirling.

For these violences, Edmondstone and Mitchell were fined in five hundred merks, and obliged to give large caution for their keeping the peace.¹

- JUNE 25. Upon petition, Sir James Don of Newton, knight-baronet, with his lady and her niece, and a groom and footman, were permitted

¹ Privy Council Record.

'to travel with their horses and arms from Scotland to Scair-^{1691.} burgh Wells in England, and to return again, without trouble or molestation, they always behaving themselves as becometh.'¹

This is but a single example of the difficulties attending personal movements in Scotland for some time after the Revolution. Owing to the fears for conspiracy, the government allowed no persons of eminence to travel to any considerable distance without formal permission.

An act, passed this day in the Convention of Royal Burghs for ^{JULY 8.} a commission to visit the burghs as to their trade, exempted Kirkwall, Wick, Inverary, and Rothesay, *on account of the difficulty of access to these places!*

The records of this ancient court present many curious details. A tax-roll of July 1692, adjusting the proportions of the burghs in making up each £100 Scots of their annual expenditure on public objects, reveals to us the comparative populousness and wealth of the principal Scottish towns at that time. For Edinburgh, it is nearly a third of the whole, £32, 6s. 8d.; for Glasgow, less than a half of Edinburgh, £15; Perth, £3; Dundee, £4, 13s. 4d.; Aberdeen, £6; Stirling, £1, 8s.; Linlithgow, £1, 6s.; Kirkcaldy, £2, 8s.; Montrose, £2; Dumfries, £1, 18s. 4d.; Inverness, £1, 10s.; Ayr, £1, 1s. 4d.; Haddington, £1, 12s.

All the rest pay something less than one pound. In 1694, Inverary is found petitioning for 'ease' from the four shillings Scots imposed upon them in the tax-roll, as 'they are not in a condition by their poverty and want of trade to pay any pairt thereof' The annual outlay of the Convention was at this time about £6000 Scots. Hence the total impost on Inverary would be £240, or twenty pounds sterling. For the 'ease' of this primitive little Highland burgh, its proportion was reduced to a fourth.

The burghs used to have very curious arrangements amongst themselves: thus, the statute Ell was kept in Edinburgh; Linlithgow had charge of the standard Firlot; Lanark of the Stone-weight; while the regulation *Pint-stoup* was confided to Stirling. A special measure for coal, for service in the customs, was the *Chalder of Culross*. The burgh of Peebles had, from old time, the privilege of seizing 'all light weights, short ellwands, and

¹ Privy Council Record.

1691. other insufficient goods, in all the fairs and mercats within the shire of Teviotdale.' They complained, in 1696, of the Earl of Traquair having interfered with their rights, and a committee was appointed to deal with his lordship on the subject.¹

To these notices it may be added that the northern burgh of Dingwall, which is now a handsome thriving town, was reduced to so great poverty in 1704 as not to be able to send a commissioner to the Convention. 'There was two shillings Scots of the ten pounds then divided amongst the burghs, added to the shilling we used formerly to be in the tax roll [that is, in addition to the one shilling Scots we formerly used to pay on every hundred pounds Scots raised for general purposes, we had to pay two shillings Scots of the new taxation of ten pounds then assessed upon the burghs], the stenting whereof was so heavy upon the inhabitants, that a great many of them have deserted the town, which is almost turned desolate, as is weel known to all our neighbours; and there is hardly anything to be seen but the ruins of old houses, and the few inhabitants that are left, having now no manner of trade, live only by labouring the neighbouring lands, and our inhabitants are still daily deserting us.' Such was the account the town gave of itself in a petition to the Convention of Burghs in 1724.²

Though Dingwall is only twenty-one and a half miles to the northward of Inverness, so little travelling was there in those days, that scarcely anything was known by the one place regarding the other. It is at this day a subject of jocose allusion at Inverness, that they at one time sent a députation to see Dingwall, and inquire about it, as a person in comfortable circumstances might send to ask after a poor person in a neighbouring alley. Such a proceeding actually took place in 1733, and the report brought back was to the effect, that Dingwall had no trade, though 'there were one or two inclined to carry on trade if they had a harbour;' that the place had *no prison*; and for want of a bridge across an adjacent lake, the people were kept from both kirk and market.³

JULY 23. Licence was granted by the Privy Council to Dr Andrew Brown to print, and have sole right of printing, a treatise he had written, entitled *A Vindictorie Schedule about the New Cure of Fevers*.⁴

¹ Record of Convention of Burghs, MS. in Council Chamber, Edinburgh.

² Anderson's Prize Essay on the State of the Highlands in 1745, p. 95.

³ *New Stat. Acc. of Scotland*: Rose, p. 220.

⁴ Privy Council Record.

This Dr Andrew Brown, commonly called *Dolphington*, from his estate in Lanarkshire, was an Edinburgh physician, eminent in practice, and additionally notable for the effort he made in the above-mentioned work to introduce Sydenham's treatment of fevers—that is, to use antimonial emetics in the first stage of the disorder. 'This book and its author's energetic advocacy of its principles by his other writings and by his practice, gave rise to a fierce controversy, and in the library of the Edinburgh College of Physicians there is a stout shabby little volume of pamphlets on both sides—"Replies" and "Short Answers," and "Refutations," and "Surveys," and "Looking-glasses," "Defences," "Letters," "Epilogues," &c., lively and furious once, but now resting as quietly together as their authors are in the Old Greyfriars' Churchyard, having long ceased from troubling. There is much curious, rude, hard-headed, bad-Englished stuff in them, with their wretched paper and print, and general ugliness; much also to make us thankful that we are in our own *now*, not their *then*. Such tearing away, with strenuous logic and good learning, at mere clouds and shadows, with occasional lucid intervals of sense, observation, and wit!'

Dolphington states in his book that he visited Dr Sydenham in London, to study his system under him, in 1687, and presently after returning to Edinburgh, introduced the practice concerning fevers, with such success, that of many cases none but one had remained uncured.

Some idea of an amateur unlicensed medical practice at this time may be obtained from a small book which had a great circulation in Scotland in the early part of the eighteenth century. It used to be commonly called *Tippermalloch's Receipts*, being the production of 'the Famous John Moncrieff of Tippermalloch' in Strathearn, 'a worthy and ingenious gentleman,' as the preface describes him, whose 'extraordinary skill in physic and successful and beneficial practice therein' were so well known, 'that few readers, in this country at least, can be supposed ignorant thereof.'

When a modern man glances over the pages of this dusky

¹ Dr John Brown: *Locke and Sydenham*, &c., 1858, p. 457.

² The second edition of *Tippermalloch* was published in 1716, containing Dr Pitcairn's method of curing the small-pox. It professes to be superior to the first edition, being 'taken from an original copy which the author himself delivered to the truly noble and excellent lady, the late Marchioness of Athole, and which her Grace the present duchess, a lady no less eminent for her singular goodness and virtue than her high quality, was pleased to communicate to us and the public.'

1001. ill-printed little volume, he is at a loss to believe that it ever could have been the medical *vade-mecum* of respectable families, as we are assured it was. It has a classification of diseases under the parts of the human system, the head, the breast, the stomach, &c., presenting under each a mere list of cures, with scarcely ever a remark on special conditions, or even a tolerable indication of the quantity of any medicine to be used. The therapeutics of Tippermalloch include simples which are now never heard of in medicine, and may be divided into things capable of affecting the human system, and things of purely imaginary efficacy, a large portion of both kinds being articles of such a disgusting character as could not but have doubled the pain and hardship of all ailments in which they were exhibited. For cold distemper of the brain, for instance, we have snails, bruised in their shells, to be applied to the forehead; and for pestilential fever, a cataplasm of the same stuff to be laid on the soles of the feet. Paralysis calls for the parts being anointed with 'convenient ointments' of (among other things) earthworms. For decay of the hair, mortals are enjoined to 'make a lee of the burnt ashes of dove's dung, and wash the head;' but 'ashes of little frogs' will do as well. Yellow hair, formerly a desired peculiarity, was to be secured by a wash composed of the ashes of the ivy-tree, and a fair complexion by 'the distilled water of snails.' To make the whole face well coloured, you are coolly recommended to apply to it 'the liver of a sheep fresh and hot.' 'Burn the whole skin of a hare with the ears and nails: the powder thereof, being given hot, cureth the lethargy perfectly.' 'Powder of a man's bones burnt, chiefly of the skull that is found in the earth, cureth the epilepsy: the bones of a man cure a man; the bones of a woman cure a woman.' The excreta of various animals figure largely in Tippermalloch's pharmacopœia, even to a bath of a certain kind for iliac passion: 'this,' says he, 'marvellously expelleth wind.' It is impossible, however, to give any adequate idea of the horrible things adverted to by the sage Moncrieff, either in respect of diseases or their cures. All I will say further on this matter is, that if there be any one who thinks modern delicacy a bad exchange for the plain-spokenness of our forefathers, let him glance at the pages of John Moncrieff of Tippermalloch, and a change of opinion is certain.

In the department of purely illusive recipes, we have for wakefulness or *coma*, 'living creatures applied to the head to dissolve the humour;' for mania, amulets to be worn about the neck; and a girdle of wolf's skin certified as a complete preventive of

epilepsy. We are told that 'ants' eggs mixed with the juice of an onion, dropped into the ear, do cure the oldest deafness,' and that 'the blood of a wild goat given to ten drops of carduus-water doth powerfully discuss the pleurisy.' It is indicated under measles, that 'many keep an ewe or wedder in their chamber or on the bed, because these creatures are easily infected, and draw the venom to themselves, by which means some ease may happen to the sick person.' In like manner, for colic a live duck, frog, or sucking-dog applied to the part, 'draweth all the evil to itself, and dieth.' The twenty-first article recommended for bleeding at the nose is hare's hair and vinegar stuffed in; 'I myself know this to be the best of anything known.' He is equally sure that the flowing blood of a wound may be repelled by the blood of a cow put into the wound, or by carrying a jasper in the hand; while for a depraved appetite nothing is required but the stone *ætites* bound to the arm. *Sed jam satis.*

In *Analecta Scotica* is to be found a dream about battles and ambassadors by Sir J. Moncrieff of Tippermalloch, who at his death in 1714, when eighty-six years of age, believed it was just about to be fulfilled. The writer, who signs himself William Moncrieff, and dates from Perth, says of Tippermalloch: 'The gentleman was, by all who knew him, esteemed to be eminently pious. He spent much of his time in reading the Scripture—his delight was in the law of the Lord. The character of the blessed man did belong to him, for in that he did meditat day and night, and his conversation was suitable thereto—his leaf did not wither—he was fat and flourishing in his old age.'

Dame Mary Norvill, widow of Sir David Falconer, president of the Court of Session, and now wife of John Home of Ninewells, was obliged to petition the Privy Council for maintenance to her children by her first husband, their uncle, the Laird of Glenfarquhar, having failed to make any right arrangement in their behalf. From what the lords ordained, we get an idea of the sums then considered as proper allowances for the support and education of a set of children of good fortune. David, the eldest son, ten years of age, heir to his father's estate of 12,565 merks (about £698 sterling) per annum, over and above the widow's jointure, was to be allowed 'for bed and board, clothing, and other necessaries, and for educating him at schools and colleges as becomes

Aug. 11.

¹ *Analecta Scotica*, ii. 176.

1201. his quality, with a pedagogue and a boy to attend him, the sum of a thousand merks yearly (£35, 11s. 1½d. sterling).¹ To Mistress Margaret, twelve and a half years old, whose portion is twelve thousand merks, they assigned an aliment for 'bed and board, clothing, and other necessities, and for her education at schools and otherwise as becomes her quality,' five hundred merks per annum (£27, 15s. 6½d. sterling). Mistress Mary, the second daughter, eleven years of age, with a portion of ten thousand merks, was allowed for 'aliment and education' four hundred and fifty merks. For Alexander, the second son, nine years of age, with a provision of fifteen thousand merks, there was allowed, annually, six hundred merks. Mistress Katherine, the third daughter, eight years of age, and Mistress Elizabeth, seven years of age, with portions of eight thousand merks each, were ordained each an annual allowance of three hundred and sixty merks. George, the third son, six years old, with a provision of ten thousand merks, was to have four hundred merks per annum. These payments to be made to John Home and his lady, while the children should dwell with them.¹

'Mistress Katherine' became the wife of Mr Home's son Joseph, and in 1711 gave birth to the celebrated philosopher, David Hume. Her brother succeeded a collateral relative as Lord Falconer of Halkerton, and was the lineal ancestor of the present Earl of Kintore. It is rather remarkable that the great philosopher's connection with nobility has been in a manner overlooked by his biographers.

That the sums paid for the young Falconers, mean as they now appear, were in accordance with the ideas of the age, appears from other examples. Of these, two may be adduced:

The Laird of Langton, 'who had gotten himself served tutor-of-law' to two young persons named Cockburn, fell about this time into 'ill circumstances.' There then survived but one of his wards—a girl named Ann Cockburn—and it appeared proper to her uncle, Lord Crossrig, that she should not be allowed to stay with a broken man. He accordingly, though with some difficulty, and at some expense, got the tutory transferred to himself. 'When Ann Cockburn,' he says, 'came to my house, I did within a short time put her to Mrs Shiens, mistress of manners, where she was, as I remember, about two years, at £5 sterling in the quarter, besides presents. Thereafter she

¹ Privy Council Record.

stayed with me some years, and then she was boarded with the Lady Harvieston, then after with Wallyford, where she still is, at £3 sterling per quarter.¹

In 1700, the Laird of Kilravock, in Nairnshire, paid an account to Elizabeth Straiton, Edinburgh, for a quarter's education to his daughter Margaret Rose; including, for board, £60; dancing, £14, 10s.; 'singing and playing and virginalls,' £11, 12s.; writing, £6; 'satin seame,' £6; a set of wax-fruits, £6; and a 'looking-glass that she broke,' £4, 16s.; all Scots money.²

It thus appears that both Mrs Shiens and Mrs Straiton charged only £5 sterling per quarter for a young lady's board.

The subject is further illustrated by the provision made by the Privy Council, in March 1695, for the widowed Viscountess of Arbutnot (Anne, daughter of the Earl of Sutherland), who had been left with seven children all under age, and whose husband's testament had been 'reduced.' In her petition, the viscountess represented that the estate was twenty-four thousand merks per annum (£1333 sterling). 'My lord, being now eight years of age, has a governor and a servant; her two eldest daughters, the one being eleven, and the other ten years of age, and capable of all manner of schooling, they must have at least one servant; as for the youngest son and three youngest daughters, they are yet within the years of seven, so each of them must have a woman to wait upon them.' Lady Arbutnot was provided with a jointure of twenty-five chalders of victual; and as her jointure-house was ruinous, she desired leave to occupy the family mansion of Arbutnot House, which her son was not himself of an age to possess.

The Lords, having inquired into and considered the relative circumstances, ordained that two thousand pounds Scots (£166, 13s. 4d. sterling) should be paid to Lady Arbutnot out of the estate for the maintenance of her children, including the young lord.

The lady soon after dying, the earl her father came in her place as keeper of the children at the same allowance.³

The Quakers residing at Glasgow gave in to the Privy Council ^{Dec.} a representation of the treatment they received at the hands of their neighbours. It was set forth, that the severe dealings with

¹ Crossrig's *Diary*.

² Kilravock Papers, Spald. Club, p. 888.

³ Privy Council Record.

1691. the consciences of men under the late government had brought about a revolution, and some very tragical doings. Now, when at last the people had wrestled out from beneath their grievances, 'it was matter of surprise that those who had complained most thereupon should now be found acting the parts of their own persecutors against the petitioners [the Quakers].' It were too tedious to detail 'what they have suffered since the change of the government, through all parts of the nation, by beating, stoning, and other abuses.' In Glasgow, however, 'their usage had been liker French dragoons' usage, and furious rabbling, than anything that dare own the title of Christianity.' Even there they would have endured in silence 'the beating, stoning, dragging, and the like which they received from the rabble,' were it not that magistrates connived at and homologated these persecutions, and their continued silence might seem to justify such doings. They then proceeded to narrate that, on the 12th of November, 'being met together in their hired house for no other end under heaven than to wait upon and worship their God,' a company of Presbyterian church elders, 'attended with the rude rabble of the town, haled them to James Sloss, bailie, who, for no other cause than their said meeting, dragged them to prison, where some of them were kept the space of eight days.' During that time, undoubted bail was offered for them, but refused, 'unless they should give it under their hand [that] they should never meet again there.' At the same time, their meeting-house had been plundered, and even yet the restoration of their seats was refused. 'This using of men that are free lieges would, in the case of others, be thought a very great riot,' &c.

The feeling of the supreme administrative body in Scotland on this set of occurrences, is chiefly marked by what they did not do. They recommended to the Glasgow magistrates that, if any forms had been taken away from the Quakers, they should be given back!¹

There were no bounds to the horror with which sincere Presbyterians regarded Quakerism in those days. Even in their limited capacity as disowners of all church-politics, they were thought to be most unchristian. Patrick Walker gravely relates an anecdote of the seer-preacher, Peden, which powerfully proves this feeling. This person, being in Ireland, was indebted one night to a Quaker for lodging. . Accompanying his host to the meeting, Peden

¹ Privy Council Record.

observed a raven come down from the ceiling, and perch itself, 1691. to appearance, on a particular person's head, who presently began to speak with great vehemence. From one man's head, the appearance passed to another's, and thence to a third. Peden told the man: 'I always thought there was devilry amongst you, but I never thought he appeared visibly to you; but now I see it.' The incident led to the conversion of the Quaker unto orthodox Christianity.¹

On the 5th of April 1694, there was a petition to the Privy Council from a man named James Macrae, professing to be a Quaker, setting forth that he had been pressed as a soldier, but could not fight, as it was contrary to his principles and conscience; wherefore, if carried to the wars, he could only be miserable in himself, while useless to others. He was ordered to be liberated, provided he should leave a substitute in his place.²

It would have been interesting to see a contemporary Glasgow opinion on this case.

Irregularities of the affections were not now punished with 1692. the furious severity which, in the reign of Charles I., ordained beheading to a tailor in Currie for wedding his *first wife's half-brother's daughter*.³ But they were still visited with penalties much beyond what would now be thought fitting. For example, a woman of evil repute, named Margaret Paterson, having drawn aside from virtue two very young men, James and David Kennedy, sons of a late minister of the Trinity College Church, was adjudged to stand an hour in the joughs at the Tron, and then to be scourged from the Castle Hill to the Netherbow, after which a life of exile in the plantations was her portion. The two young men, having been bailed by their uncle, under assurance for five thousand merks, the entire amount of their patrimony, broke their bail rather than stand trial with their associate in guilt. There was afterwards a petition from the uncle setting forth the hardship of the case, and this was replied to with a recommendation from the lords of Justiciary to the lords of the treasury for a modification of the penalty, 'if their lordships shall think fit.' In the case of Alison Beaton, where the co-relative offender was a man who had married her mother's sister, the poor woman was condemned to be scourged in like manner with

¹ *Life of Peden, Biogr. Presbyteriana*, i. 112.

² Privy Council Record.

³ *Domestic Annals of Scotland*, ii. 29.

1692. Paterson, and then transported to the plantations. It was a superstitious feeling which dictated such penalties for this class of offences. The true aim of jurisprudence, to repress disorders which directly affect the interests of others, and these alone, was yet far from being understood.

In January 1694, there came before the notice of the Court of Justiciary in Edinburgh, a case of curiously complicated wickedness. Daniel Nicolson, writer, and a widow named Mrs Pringle, had long carried on an infamous connection, with little effort at concealment. Out of a bad spirit towards the unoffending Jean Lands, his wife, Nicolson and Pringle, or one or other of them, caused to be forged a receipt as from her to Mr John Elliot, doctor of medicine, for some poison, designing to raise a charge against her and a sister of hers, of an attempt upon her husband's life. The alleged facts were proved to the satisfaction of a jury, and the court, deeming the adultery aggravated by the forgery, adjudged the guilty pair to suffer in the Grassmarket—Nicolson by hanging, and Pringle by 'having her head severed from her body.'

There were, however, curious discriminations in the judgments of the Justiciary Court. A Captain Douglas, of Sir William Douglas's regiment, assisted by another officer and a corporal of the corps, was found guilty of a shocking assault upon a serving-maid in Glasgow, in 1697. A meaner man, or an equally important man opposed to the new government, would have, beyond a doubt, suffered the last penalty for this offence; Captain Douglas, being a gentleman, and one engaged in the king's service, escaped with a fine of three hundred merks.¹

FIG. 13. King William felt impatient at the unsubmitiveness of the Jacobite clans, chiefly Macdonalds of Glengarry, Keppoch, and Glencoe, the Grants of Glenmoriston, and the Camerons of Lochiel, because it caused troops to be kept in Scotland, which he much wanted for his army in Flanders. His Scottish ministers, and particularly Sir John Dalrymple, Master of Stair, the Secretary of State, carried towards those clans feelings of constantly growing irritation, as latterly the principal obstacle to a settlement of the country under the new system of things. At length, in August 1691, the king issued an indemnity, promising pardon to all that had been in arms against him

¹ Criminal Proceedings, a Collection of Justiciary Papers in Library of the Society of Antiquaries of Scotland.

before the 1st of June last, provided they should come in any time before the 1st of January next year, and swear and sign the oath of allegiance.

The letters of Sir John Dalrymple from the court at London during the remainder of the year, shew that he grudged these terms to the Highland Jacobites, and would have been happy to find that a refusal of them justified harsher measures. It never occurred to him that there was anything but obstinacy, or a hope of immediate assistance from France to enable them to set up King James again, in their hesitation to swear that they sincerely in their hearts accepted King William and Queen Mary as the sovereigns of the land equally by right and in fact. He really *hoped* that at least the popish clan of the Macdonalds of Glencoe would hold out beyond the proper day, so as to enable the government to make an example of them. It was all the better that the time of grace expired in the depth of winter, for 'that,' said he (letter to Colonel Hamilton, December 3, 1691), 'is the proper season to maul them, in the cold long nights.' On the 9th of January, under misinformation about their having submitted, he says: 'I am sorry that Keppoch and M'Ian of Glencoe¹ are safe.' It was the sigh of a savage at the escape of a long-watched foe. Still he understood Glengarry, Clanranald, and Glenmoriston to be holding out, and he gave orders for the troops proceeding against them, granting them at the utmost the terms of prisoners of war. In the midst of a letter on the subject, dated the 11th January,² he says: 'Just now my Lord Argyle tells me that Glencoe hath not taken the oaths; at which *I rejoice*—it's a great work of charity to be exact in *rooting out that damnable sect*, the worst in all the Highlands.' Delighted with the intelligence—'it is very good news here,' he elsewhere says—he obtained that very day a letter from the king anent the Highland rebels, commanding the troops to cut them off '*by all manner of hostility*,' and for this end to proclaim high penalties to all who should give them assistance or protection. Particular instructions subscribed by the king followed on the 16th, permitting terms to be offered to Glengarry, whose house was strong enough to give trouble, but adding: '*If M'Ian of Glencoe and that tribe can be well separated from the rest, it will be a proper vindication of the public justice to extirpate that sect of thieves*.' On the same day, Dalrymple himself wrote to Colonel

¹ Macdonald of Glencoe bore the subordinate surname of M'Ian, as descended from a noted person named Ian or John.

² Addressed to Sir Thomas Livingstone, commander-in-chief of the forces in Scotland.

1002. Hill, governor of Inverlochy, 'I shall entreat you that, for a just vengeance and public example, the thieving tribe of Glencoe be *rooted out to purpose*. The Earls of Argyle and Breadalbane have promised they shall have no retreat in their bounds.' He felt, however, that it must be 'quietly done;' otherwise they would make shift both for their cattle and themselves. There can be no doubt what he meant; merely to *harry* the people, would make them worse thieves than before—they must be, he elsewhere says, '*rooted out and cut off*.'

In reality, the old chief of the Glencoe Macdonalds had sped to Inverlochy or Fort William before the end of the year, and offered his oath to the governor there, but, to his dismay, found he had come to the wrong officer. It was necessary he should go to Inverary, many miles distant, and there give in his submission to the sheriff. In great anxiety, the old man toiled his way through the wintry wild to Inverary. He had to pass within a mile of his own house, yet stopped not to enter it. After all his exertions, the sheriff being absent for two days after his arrival, it was not till the 6th of January that his oath was taken and registered. The register duly went thereafter to the Privy Council at Edinburgh; but the name of Macdonald of Glencoe was not found in it: it was afterwards discovered to have been by special pains obliterated, though still traceable.

Here, then, was that 'sect of thieves' *formally* liable to the vengeance which the secretary of state meditated against them. The commander, Livingstone, on the 23d January, wrote to Colonel Hamilton of Inverlochy garrison to proceed with his work against the Glencoe men. A detachment of the Earl of Argyle's regiment—Campbells, hereditary enemies of the Macdonalds of Glencoe—under the command of Campbell of Glenlyon, proceeded to the valley, affecting nothing but friendly intentions, and were hospitably received. Glenlyon himself, as uncle to the wife of one of the chief's sons, was hailed as a friend. Each morning, he called at the humble dwelling of the chief, and took his morning-draught of usquebaugh. On the evening of the 12th of February, he played at cards with the chief's family. The final orders for the onslaught, written on the 12th at Ballachulish by Major Robert Duncanson (a Campbell also), were now in Glenlyon's hands. They bore—'You are to put all to the sword under seventy. You are to have a special care that the old fox and his son do on no account escape your hands. You're to secure all avenues, that none escape; this you are to put in execution at five o'clock

precisely, and by that time, or very shortly after it, I'll strive to be ¹⁰⁰² at you with a stronger party. If I do not come to you at five, you are not to tarry for me, but to fall on.'

Glenlyon was but too faithful to his instructions. His soldiers had their orders the night before. John Macdonald, the chief's eldest son, observing an unusual bustle among the soldiers, took an alarm, and inquired what was meant. Glenlyon soothed his fears with a story about a movement against Glengarry, and the lad went to bed. Meanwhile, efforts were making to plant guards at all the outlets of that alpine glen; but the deep snow on the ground prevented the duty from being fully accomplished. At five, Lieutenant Lindsay came with his men to the house of the chief, who, hearing of his arrival, got out of bed to receive him. He was shot dead as he was dressing himself. Two of his people in the house shared his fate, and his wife, shamefully treated by the soldiers, died next day. At another hamlet called Auchnaion, the tacksman and his family received a volley of shot as they were sitting by their fireside, and all but one were laid dead or dying on the floor. The survivor entreated to be killed in the open air, and there succeeded in making his escape. There were similar scenes at all the other inhabited places in the glen, and before daylight, thirty-eight persons had been murdered. The rest of the people, including the chief's eldest son, fled to the mountains, where many of them are believed to have perished. When Colonel Hamilton came at breakfast-time, he found one old man alive mourning over the bodies of the dead; and this person, though he might have been even formally exempted as above seventy, was slain on the spot. The only remaining duty of the soldiers was to burn the houses and harry the country. This was relentlessly done, two hundred horses, nine hundred cattle, and many sheep and goats being driven away.

A letter of Dalrymple, dated from London the 5th March, makes us aware that the Massacre of Glencoe was already making a sensation there. It was said that the people had been murdered in their beds, after the chief had made the required submission. The secretary professed to have known nothing of the last fact, but he was far from regretting the bloodshed. 'All I regret is that any of the sect got away.' When the particulars became fully known—when it was ascertained that the Campbells had gone into the glen as friends, and fallen upon the people when they were in a defenceless state and when all suspicion was lulled asleep—the transaction assumed the character which it has ever

which sunk in the public estimation, as one of the foulest in modern history.

The Jacobites trumpeted it as an offset against the imputed severities of the late reigns. Its whole details were given in the French gazettes, as an example of the paternal government now planted in Britain. The government was compelled, in self-defence, to order an inquiry into the affair, and the report presented in 1695 fully brought out the facts as here detailed, leaving the principal odium to rest with Dalrymple. The king himself, whose signature follows close below the savage sentence, 'If M'Ian of Glencoe,' &c., did not escape reproach. True it is, that so far from punishing his secretary, he soon after this report gave him a full remission, and conferred on him the teinds of the parish in which lay his principal estates.¹

FIG. 16. The Privy Council had before them a petition from Lieutenant Brisbane of Sir Robert Douglas's regiment, regarding one Archibald Baird, an Irish refugee, imprisoned at Paisley for housebreaking. The sheriff thought the probation 'scrimp' (scanty), and besides, was convinced that 'extreme poverty had been a great temptation to him to commit the said crime.' Seeing he was, moreover, 'a proper young man fit for service,' and 'willing and forward to go over to Flanders to fight against the French,' the sheriff had hitherto delayed to pronounce sentence upon him. Without any ceremony, the Council ordered that Baird be delivered to Brisbane, that he might be transported to Flanders as a soldier.

The reader will probably be amused by the sheriff's process of ideas—first, that the crime was not proved; and, second, that it had been committed under extenuating circumstances. The leniency of the Privy Council towards such a culprit, in ordering him out of the country as a soldier, is scarcely less characteristic. The truth is, the exigencies of the government for additional military force were now greater than ever, so that scruples about methods of recruiting had come to be scarcely recognisable. Poor people confined in jail on suspicion of disaffection, were in many instances brought to a purchase of liberty by taking on as soldiers; criminals, who had pined there for months or years, half-starved, were glad to take soldiering as their punishment. Sturdy vagrants

¹ See *Papers Illustrative of the Political Condition of the Highlands from 1689 to 1696*. Maitland Club. 1845.

were first gathered into the jails for the offence of begging, and then made to know that, only by taking their majesties' pay, could they regain their freedom. But freedom was not to be instantly gained even in this way. The recruits were kept in jail, as well as the criminals and the disaffected—little distinction, we may well believe, observed between them. Not till ready to go on board for Flanders, were these gallant Britons permitted to breathe the fresh air.

An appearance of regard for the liberty of the subject was indeed kept up, and on the 23d February 1692, a committee of the Privy Council was appointed to go to the prisons of Edinburgh and Canongate, and inspect the recruits kept there, so as to ascertain if there were any who were unjustly detained against their will. But this was really little more than an appearance for decency's sake, the instances of disregard for individual rights being too numerous even in their own proceedings to allow any different conclusion being arrived at.¹

Two ministers at Dumfries, who had been 'preachers before ^{FEB.} prelacy was abolished,' gave displeasure to the populace by using the Book of Common Prayer. On a Sunday, early in this month, a party of about sixteen 'mean country persons living about four or five miles from Dumfries, who disowned both Presbyterian and Episcopal ministers, and acknowledged none but Mr Houston,' came and dragged these two clergymen out of the town, took from each his prayer-book, and gave them a good beating, after which they were liberated, and allowed to return home. At an early hour next morning, the same party came into the town and burned one of the books at the Cross, on which they affixed a placard, containing, we may presume, a declaration of their sentiments. The Privy Council indignantly called the provost of Dumfries before them, and while censuring him for allowing such a riot to take place, enjoined him to take care 'that there be no occasions given for the like disorders in time coming.' That is to say, the Privy Council did not desire the Dumfries magistrates to take any measures for preventing the attacks of 'mean country persons' upon unoffending clergymen using the forms of prayer sanctioned in another and connected kingdom not thirty miles distant, but to see that such clergymen were not allowed to give provocations of that kind to 'mean country persons.'

¹ Privy Council Record.

1699.
MAR. Dumfries had at this time another trouble on its hands. Marion Dickson in Blackshaw, Isobel Dickson in Locherwood, Agnes Dickson (daughter of Isobel), and Marion Herbertson in Mousewauldbank, had for a long time been 'suspected of the abominable and horrid crime of witchcraft,' and were believed to have 'committed many grievous malefices upon several persons their neighbours and others.' It was declared to be damnifying 'to all good men and women living in the country thereabouts, who cannot assure themselves of safety of their lives by such frequent malefices as they commit.'

Under these circumstances, James Fraid, John Martin, William Nicolson, and Thomas Jaffrey in Blackshaw, John Dickson in Slop of Locherwoods, John Dickson in Locherwoods, and John Dickson in Overton of Locherwoods, took it upon them to apprehend the women, and carried them to be imprisoned at Dumfries by the sheriff, which, however, the sheriff did not consent to till after the six men had granted a bond engaging to prosecute. Fortified with a certificate from the presbytery of Dumfries, who were 'fully convinced of the guilt [of the women] and of the many malefices committed by them,' the men applied to the Privy Council for a commission to try the delinquents.

The Lords ordered the women to be transported to Edinburgh for trial.¹

MAR. 29. The government beginning to relax a little the severity it had hitherto exercised towards captive Jacobites, the Earl of Perth, on a showing of the injury his health was suffering from long imprisonment in Stirling Castle, was liberated on a caution for five thousand pounds sterling, being a sum equal to the annual income of the highest nobles of the land.

William Livingstone, brother to the Viscount Kilsyth, and husband of Dundee's widow, had been a prisoner in the Edinburgh Tolbooth from June 1689 till November 1690—seventeen months—thereafter, had lived in a chamber in Edinburgh under a sentry for a year—afterwards was allowed to live in a better lodging, and to go forth for a walk each day, but still under a guard. In this condition he now continued. The consequence of his being thus treated, and of his rents being all the time sequestered, was a great confusion of his affairs, threatening the entire ruin of his

¹ Privy Council Record.

fortune. On his petition, the Council now allowed him 'to go ¹⁶⁹² abroad under a sentinel each day from morning to evening furth of the house of Andrew Smith, periwig-maker, at the head of Niddry's Wynd, in Edinburgh, to which he is confined,' he finding caution under fifteen hundred pounds sterling to continue a true prisoner as heretofore; at the same time, the sequestration of his rents was departed from.

On the 19th April, Mr Livingstone was allowed to visit Kilsyth under a guard of dragoons, in order to arrange some affairs. But this leniency was of short duration. We soon after find him again in strict confinement in Edinburgh Castle; nor was it till September 1693, that, on an earnest petition setting forth his declining health, he was allowed to be confined to 'a chamber in the house of Mistress Lyell, in the Parliament Close,' he giving large bail for his peaceable behaviour. This, again, came to a speedy end, for, being soon after ordered to re-enter his strait confinement in the Castle, he petitioned to be allowed the Canon-gate Jail instead, and was permitted, as something a shade less wretched than the Castle, to become a prisoner in the Edinburgh Tolbooth. On the 4th of January 1693, he was again allowed the room in the Parliament Close, but on the 8th of February this was exchanged for Stirling Castle. In the course of the first five years of British liberty, Mr Livingstone must have acquired a tolerably extensive acquaintance with the various forms and modes of imprisonment, so far as these existed in the northern section of the island.

Captain John Crichton, once a dragoon in the service of King James, and whose memoirs were afterwards written from his own information by Swift, was kept in jail for twenty-one months after June 1689; then for ten months in a house under a sentinel; since that time in a house, with permission to get a daily walk; 'which long imprisonment and restraint has been very grievous and expensive to the petitioner (Crichton),' and 'has redacted him and his small family to a great deal of misery and want, being a stranger in this kingdom.' His restraint was likewise relaxed on his giving caution to the extent of a hundred pounds to remain a true prisoner.

Soon after arose the alarm of invasion from France, and all the severities against the suspected Jacobites were renewed. William Livingstone was, in June, confined once more to his chamber at the periwig-maker's, and Captain John Crichton had to return to a similar restraint. The Earl of Perth, so recently liberated from

1691. Stirling Castle, was again placed there. At that time, there were confined in Edinburgh Castle the Earls of Seaforth and Home, the Lord Bellenden, and Paterson, Ex-archbishop of Glasgow. In Stirling Castle, besides Lord Perth, lay his relation, Sir John Drummond of Machany,¹ and the Viscount Fren draught, the latter having only six hundred merks per annum (about £34), so that it became of importance that his wife should be allowed to come in and live with him, instead of requiring a separate maintenance; to so low a point had civil broils and private animosities brought this once flourishing family. Neville Payne lay a wretched prisoner in Edinburgh Castle. Sir Robert Grierson of Lagg was contracting sore ailments under protracted confinement in the Canongate Jail. A great number of other men were undergoing their second, and even their third year of confinement, in mean and filthy tolbooths, where their health was unavoidably impaired.

On the 2d of June, Crichton gave in a petition reciting that he had been again put under restraint, and for no just cause, as he had always since the Revolution been favourable to the new government, and on the proclamation of the Convention, had deserted his old service in the Castle, bringing with him thirty-nine soldiers. He was relieved from close confinement, and ordered to be subjected to trial. On the 10th of June, he was ordered to be set at liberty, on caution. Less than two months after, failing to appear on summons, his bond for £100 was forfeited, and the money, when obtained from his security, to be given to Adair the geographer.

On the 14th of June 1692, Captain Wallace represented that he had now been three years a captive, 'whereby his health is impaired, his body weakened, and his small fortune entirely ruined.' 'Yet hitherto, there has been no process against him.' He entreated that he might be liberated on signing 'a volunteer banishment,' and he would 'never cease to pray that God may bless the nation with ane lasting peace, of [which] he would never be a disturber.' An order for a process against him was issued.

It was difficult, however, even for the Scottish Privy Council to make a charge of treason against an officer whose only fault was that, being appointed by a lawful authority to defend a post, he had performed the duty assigned to him, albeit at the expense

¹ This was the father of Mr Andrew Drummond, the founder of the celebrated banking-house in the Strand.

of a few lives to the rabble which he was commanded to resist. 1692. Still, when the solicitor-general, Lockhart, told them he could not process Captain Wallace for treason 'without a special warrant to that effect,' they divided on the subject, and the negative was only carried by a majority.¹

Happened an affair of private war and violence, supposed to be the last that took place in the county of Renfrew. John Maxwell of Dargavel had ever since the Reformation possessed a seat and desk in the kirk of Erskine, along with a right to bury in the subjacent ground. William Hamilton of Orbieston, proprietor of the estate of Erskine, disputed the title of Dargavel to these properties or privileges, and it came to a high quarrel between the two gentlemen. Finding at length that Dargavel would not peaceably give up what he and his ancestors had so long possessed, Orbieston—who, by the way, was a partisan of the old dynasty, and perhaps generally old-fashioned in his ideas—resolved to drive his neighbour out of it by force. A complaint, afterwards drawn up by Dargavel for the Privy Council, states that William Hamilton of Orbieston, George Maxwell, bailie of Kilpatrick, Robert Laing, miller in Duntocher, John Shaw of Bargarran, Gavin Walkingshaw, sometime of that ilk, came, with about a hundred other persons, 'all armed with guns, pistols, swords, bayonets, and other weapons invasive,' and, having appointed George Maxwell, 'Orbieston's own bailie-depute,' to march at their head, they advanced in military order, and with drums beating and trumpets sounding, to the parish kirk of Erskine, where, 'in a most insolent and violent manner, they did, at their own hand, and without any order of law, remove and take away the complainer's seat and desk, and sacrilegiously bring away the stones that were lying upon the graves of the complainer's predecessors, and beat and strike several of the complainer's tenants and others, who came in peaceable manner to persuade them to desist from such unwarrantable violence.'

Dargavel instantly proceeded with measures for obtaining redress from the Privy Council, when his chief, Sir John Maxwell of Pollock, a member of that all-powerful body, interfered to bring about an agreement between the disputants. With the consent of the Earl of Glencairn, principal heritor of the parish, Dargavel 'yielded for peace-sake to remove his seat from that

¹ Privy Council Record.

place of the kirk, where it had stood for many generations; while Orbieston on his part agreed that Dargavel 'should retain his room of burial-place in the east end of the kirk, with allowance to rail it in, and strike out a door upon the gable of it, as he should see convenient.' This did not, however, end the controversy.

The first glimpse of further procedure which we obtain is from a letter of John Shaw of Bargarran, professing to be a friend of both parties, though he had appeared amongst the armed party led by Orbieston's bailie-depute. He writes, 23d August, as follows to William Cunningham of Craigends, a decided friend of Dargavel: 'Sir—The Laird of Orbieston heard when he was last here that Dargavel was intendit to put through a door to his burial-place, which will be (as he says) very inconvenient for Orbieston's laft [gallery]; so he desired me to acquaint you therewith, that ye wold deall with Dargavel to forbear; otherways he wold take it very ill, and has given orders to some people here to stop his design, if he do it not willingly; wherefor, to prevent further trouble and emulation betwixt the two gentlemen, ye wold do well to advyse him to the contrair either by a lyn or advyse, as ye think most proper. I desyre not to be seen in this, because they are both my friends, and I a weel-wisher to them both. I thought to have waited on you myself; bot, being uncertain of your being at home, gives you the trouble of this lyne, which is all from, sir, your most humble servant, J. SHAW. Ye wold do this so soon as possible.'

There are letters from Craigends to Dargavel, strongly indicating the likelihood that violent measures would again be resorted to by Orbieston, and advising how these might best be met and resisted. But the remainder of the affair seems to have been peaceable. Orbieston applied to the Privy Council for an order to stop Dargavel, apparently proceeding upon the rule long established, but little obeyed, against burying in churches; and the Council did send an order, dated the 29th August, 'requiring you to desist from striking any door or breaking any part of the church-wall of Erskine, until your right and Orbieston's right be discussd by the judges competent for preventing further abuse.' Dargavel immediately sent a petition, shewing how he was only acting upon an agreement with Orbieston, and hereupon the former order was recalled, and Dargavel permitted to have the access he required, however incommodious it might be to Orbieston's 'laft.'¹

¹ From papers in possession of John Hall Maxwell, of Dargavel, Esq.

The prisoners in the Canongate Tolbooth forced the key from the jailer, and took possession of their prison, which they held out against the magistrates for a brief space. A committee of Privy Council was ordered to go and inquire who had been guilty of this act of rebellion.¹ Viewing the manner in which jails were provided, there can be no doubt that it was a rebellion of the stomach.

1689.
MAY 10.

Under our present multiplication of newspapers, a piece of false intelligence is so quickly detected, that there is no temptation for the most perverse politician to put such a thing in circulation. In King William's days, when the printed newspaper barely existed, and the few who were curious about state-affairs had to content themselves with what was called a *news-letter*—a written circular emanating from a centre in London—a falsehood would now and then prove serviceable to a party, particularly a depressed one.

MAY 17.

We get an idea of a piece of the social economy of the time under notice, from a small matter which came under the attention of the Privy Council. William Murray kept a tavern in the Canongate. Each post brought him a news-letter for the gratification of his customers, and which doubtless served to maintain their allegiance to his butt of claret. Just at this time, when there were alarms of an invasion from France, a lie about preparations on the French shore was worth its ink. The lord high chancellor now informed the Council that Murray's letter was generally full of false news; that he caused destroy the one brought by last post, merely to keep Murray out of trouble; and he had kept up the one just come, 'in respect there is a paper therein full of cyphers which cannot be read.' Matters having now become so serious, he had caused Murray to be brought before the Council.

Murray declared before a committee 'he knows not what person writes the news-letter to him . . . he never writes any news from this to London . . . he knows not what the cyphers in the paper sent in his letter with this post does signify.' They sent him under care of a macer to the Tolbooth, to be kept there in close prison, and his papers at home to be searched for matter against their majesties or the government.

On the 2d of June, William Murray represented that he had

¹ Privy Council Record. (See onward, under December 31, 1692, and July 13, 1697.)

1682. now been a fortnight in jail, and his poor family would be ruined if he did not immediately regain his liberty. The Council caused him to be examined about the cypher-letter, and asked who was his correspondent. We do not learn what satisfaction he gave on these points; but a week later, he was liberated.

On the 15th November, the Privy Council ordered the magistrates of Edinburgh to shut up the Exchange Coffee-house, and bring the keys to them, 'in respect of the seditious news vented in and dispersed from the said coffee-house.' A month after, the owners, Gilbert Fyfe and James Marjoribanks, merchants, shewed that, some of their news-letters having once before been kept up from them on account of the offensive contents, they had changed their correspondent, in order that the government might have no such fault to find with them. Moved, however, by malice against them, their old correspondent had addressed to them a letter sure

deceased. He had since lived upon the charity of his relations and acquaintances; but these were now weary of maintaining him, and he was consequently 'redacted to extream misery.' Having broken his thigh-bone six several times, he was incapable of any employment but that of writing in a chamber, from which, however, he was debarred by his banishment from Edinburgh. He therefore craved a relaxation of his sentence, offering 'to take the oath of allegiance and subscribe the assurance, to evidence his sincerity towards the government.' The poor lad's petition was complied with.¹

Sir James Carmichael of Bonnyton, a minor, was proprietor of the lands of Thankerton, lying on the north side of the river Clyde, in the upper ward of Lanarkshire. The Clyde had been the march between his estate and those of the adjacent proprietors—Chancellor of Shieldhill, and George Kellie in Quothquan; but 'rivers are bad neighbours and unfaithful boundaries, as Lucan says of the Po,'² and there had happened a *mutatio alvei* about fifty years before, in consequence of a violent flood, and now a part of Bonnyton lands was thrown on the opposite side. Under the name of the Park-holm, it had lain neglected for many years; but at length, in 1688, the present laird's father sowed and reaped it; whereupon the opposite neighbours, considering it as theirs, resolved to assert their right to it. At the date noted, they came eighty strong, 'resolved to take advantage of Sir James his infancy, and by open bangstry and violence to turn him and his tenants out of his possession.' Their arms were 'pitchforks, great staves, scythes, pistols, swords, and mastive dogs.' In a rude and violent manner, they cut down 'the whole growth of fourteen bolls sowing of corn or thereby,' drove it home to their own houses, and there made use of it in bedding their cattle, or threw it upon the dunghills. Thus, 'corns which would have yielded at least nine hundred bolls oats at eight pounds Scots the boll, were rendered altogether useless for man or beast.' During the progress of this plunder, the tenants were confined to their houses under a guard. So it was altogether a riot and oppression, inferring severe punishment, which was accordingly called for by the curators of the young landlord.

The Council, having heard both parties, found the riot proven, and ordained Chancellor of Shieldhill to pay three hundred merks

¹ Privy Council Record.

² Fountainhall's *Decisions*, i. 693.

1692. to the pursuer.¹ Afterwards (December 26, 1695), the Lords of Session confirmed the claim of Bonnyton to the Park-holm.²

In this year died the Viscountess Stair—born Margaret Ross of Balniel, in Wigtonshire—the wife of the ablest man of his age and country, and mother of a race which has included an extraordinary number of men of talent and official distinction. The pair had been married very nearly fifty years, and they were tenderly attached to the last. The glories of the family history had not been quite free of shade; witness the tragical death of the eldest daughter Janet, the original of Lucy Ashton in *The Bride of Lammermoor*.³ Lady Stair is admitted to have been a woman of a soaring mind, of great shrewdness and energy of character, and skilled in the ways of the world; and to these qualities on her part it was perhaps, in part, owing that her family, on the whole, prospered so remarkably. The public, however, had such a sense of her singular power over fortune, as to believe that she possessed necromantic gifts, and trafficked with the Evil One. An order which she left at her death regarding the disposal of her body, helped to confirm this popular notion. ‘She desired that she might not be put under ground, but that her coffin should stand upright on one end of it, promising that, while she remained in that situation, the Dalrymples should continue to flourish. What was the old lady’s motive for the request, or whether she really made such a promise, I shall not take upon me to determine; but it’s certain her coffin stands upright in the aisle of the church of Kirkliston, the burial-place of the family.’⁴

A local historian attributes to her ladyship ‘one of the best puns extant. Graham of Claverhouse (commonly pronounced Clavers) was appointed sheriff of Wigtonshire in 1682. On one occasion, when this violent persecutor had been inveighing, in her presence, against our illustrious reformer, she said: “Why are you so severe on the character of John Knox? You are both reformers: he gained his point by clavers [talk]; you attempt to gain yours by knocks.”’⁵

Aug. 13. The boy carrying the post-bag on its last stage from England

¹ Privy Council Record.

² Fountainhall’s *Decisions*, i. 698.

³ *Domestic Annals of Scotland*, ii. 326.

⁴ *Mem. of John Earl of Stair by an Impartial Hand*, p. 7.

⁵ *Murray’s Literary Hist. of Galloway*, p. 155.

was robbed by 'a person mounted on horseback with a sword ^{1692.} about him, and another person on foot with a pistol in his hand, upon the highway from Haddington to Edinburgh, near that place thereof called Jock's Lodge [a mile from town], about ten hours of the night.' The robbers took 'the packet or common mail with the horse whereon the boy rode.' The Privy Council issued a proclamation, offering a reward of a hundred pounds for the apprehension of the offenders, with a free pardon to any one of them who should inform upon the rest.

The troubles arising from corporation privileges were in these ^{OCT. 1.} old times incessant. Any attempt by an unfreeman to execute work within the charmed circle was met with the sternest measures of repression and punishment, often involving great suffering to poor industrious men. Indeed, there is perhaps no class of facts more calculated than this to disenchant modern people out of the idea that the days of old were days of mutual kindness and brothership.

At the date noted, one William Somerville, a wright-burgess of Edinburgh, was engaged in some repairs upon the mansion of the Earl of Roxburgh, in the Canongate, when Thomas Kinloch, deacon of the wrights of that jurisdiction, came with assistants, and in a violent manner took away the whole of the tools which the workmen were using. This was done as a check to Edinburgh wrights coming and doing work in a district of which they were not free. Somerville, two days after, made a formal demand for the restoration of his 'looms;' but they were positively refused. The Earl of Roxburgh was a minor; but his curators felt aggrieved by Kinloch's procedure, and accordingly concurred with Somerville in charging the Canongate deacon, before the Privy Council, with the commission of riot and oppression in the earl's house. Apparently, if the Roxburgh mansion had been subject to the jurisdiction of the Canongate, the Council could not have given any redress; but it so happened, that when the earl's ancestor, in 1636, gave up the superiority of the Canongate, he reserved his house as to be holden of the crown; therefore, the Canongate corporations had no title to interfere with the good pleasure of his lordship in the selection of workmen to do work in his house. The Council remitted this point of law to the Court of Session; but meanwhile ordered the restoration of Somerville's tools.¹

¹ Privy Council Record.

1692. As an example of the troubles connected with mercantile privilege, it may be well to introduce one simple case of the treatment of an interloper by the Merchant Company of Edinburgh, the members of which were the sole legalised dealers in cloth of all kinds in the city. In June 1699, it was reported to the Company that one Mary Flaikfield, who had formerly been found selling goods 'off the mercat-day,' and enacted herself to desist from the practice, had been found sinning again in the same manner. She was detected in selling some plaids and eight pieces of muslin to a stranger, and the goods were seized and deposited in the Merchants' Hall.

The poor woman at first alleged that she had only been conversing with this stranger, while the goods chanced to be lying beside her, and the Company was wrought upon to give back her goods, all except two pieces of the muslin, which they said they would detain till Mary could prove what she alleged.

Presently, however, there was a change in their mood, for John Corsbie came forward with information that Mary Flaikfield was really a notable interloper. The very person she was lately detected in dealing with, she had wiled away from Corsbie's own shop, where he was about to buy the same goods. She was accustomed to sell a good deal to the family of Lord Halcraig. Then she had not appeared to prove her innocence. 'The vote was put: "Roup the two pieces of muslin or not?" and it carried "Roup." Accordingly, the muslin being measured, and found to be twenty-two ells, and ane hour-glass being set up, several persons bid for the same. The greatest offer made was fourteen shillings per ell, which offer was made by Francis Brodie, treasurer—the time being run—the said offer was three several times cried out, and the said two pieces of muslin were declared to belong to him for £15, 8s. [Scots]; but if she compear and relieve the same before the next meeting, allows her to have her goods in payment of the above sum.'

At the meeting of the ensuing week, Mary Flaikfield not having come forward to redeem her muslin, the treasurer was instructed to dispose of it as he should think fit, and be comptable to the Company for £15, 8s. Two days later, however, there was another meeting solely on account of Mary, when the Master, Bailie Warrender, and his assistants, felt that Christian charity would not allow them to proceed further. 'Considering that Mary Flaikfield is a poor woman, big with child, and has been detained here about a fortnight, they, in point of pity and

compassion for her, order that her two pieces of mualin be given ^{1682.} her back upon payment of fourteen shillings to the officer.' She was not dismissed without a caution as to her future behaviour.¹

The stranding of whales in the Firth of Forth was of such ^{Nov.} natural and frequent occurrence in early times, that a tithe of all cast ashore between Cockburnspath and the mouth of the Avon, was one of the gifts conferred by the pious David upon the Canons Augustine of Holyrood. In modern times, it may be considered as an uncommon event. At this time, however, one had embayed itself in the harbour of Limekilns, a little port near Queensferry. A litigation took place regarding the property of it, between the chancellor, the Earl of Tweeddale, as lord of the regality of Dunfermline, and Mr William Erskine, depute to the admiral, and the Lords finally adjudged it to the chancellor, with seven hundred merks as the price at which it had been sold.²

The Earl of Moray, being pursued at law for a tradesman's ^{Dec. 1.} account, which was referred to his oath, craved the Court of Session to appoint a commission to take his oath at Dunnibrissle, on the ground that, if he were obliged to come to Edinburgh for the purpose, he should incur as much expense as the whole amount of the alleged debt. As Dunnibrissle is visible from Edinburgh across the Firth of Forth, this must be looked upon as an eccentrically economical movement on his lordship's part. The court granted the commission, but ordained his lordship to pay any expense which might be incurred by the debtor, or his representative, in travelling to Dunnibrissle to be present at the oath-taking.³

The court had occasionally not less whimsical cases before it. In February 1698, there was one regarding a copper caldron, which had been poulded, but not first taken to the Cross to be 'appreciate.' The defenders represented that they had done something equivalent in carrying thither a part of it—the ledges—as a symbol; following here a rule applicable with heavy movables, as where a salt-pan was represented by two nails; nay, a symbol not homogeneous, as a wisp of straw for a flock of sheep, fulfilled the law. The defence was sustained, and the poulding affirmed.⁴

¹ Minutes of Merchant Company, MS. in possession of the Company.

² Fountainhall's *Decisions*, i. 518, 564.

³ *Ibid.*, i. 525.

⁴ *Ibid.*

1693.
Dec.

The Privy Council had under its hands three Protestant clergymen—namely, Mr John Hay, late minister at Falkland; Mr Alexander Leslie, late minister at Crail; and Mr Patrick Middleton, late minister at Leslie—in short, three of the ‘outed’ Episcopal clergy—for not praying for William and Mary. They acknowledged that they prayed ‘only in general terms’ for the king and queen, and were therefore discharged from thereafter exercising any clerical functions, under severe penalties. Soon after, the Council judged, in the case of Mr Alexander Lundie, late minister of Cupar, who stated that, ‘having a mixed auditory, he prayed so as might please both parties.’ This style of praying, or else the manner of alluding to it, did not please the Privy Council, and Mr Lundie was ordered ‘to be carried from the bar, by the macers, to the Tolbooth, there to remain during the Council’s pleasure.’ Having lain there four days, far from all means of subsistence, while his wife was ill of a dangerous disease at home, and his family of small children required his care, Mr Lundie was fain to beg the Council’s pardon for what he had said, and so obtained his liberation also, but only with a discharge from all clerical functions till he should properly qualify himself according to act of parliament.

On the 22d of May 1693, Mr David Angus, minister of Fortrose, was before the Council on a charge that, although deprived for not praying for their majesties in terms of the act of parliament, ‘he has publicly preached and exercised the ministerial function within his own house, and parish where the same lies, and elsewhere, without qualifying himself by signing the oath of allegiance.’ So far from evidencing the sense he ought to have had of the grievous circumstances from which the nation had been relieved, by reading the proclamation of estates, he had neglected it, and prayed for King James, thus stirring up the disaffected in opposition to their majesties’ government, and discouraging their loyal subjects. These were ‘crimes which ought to be severely punished for the terror of others.’ The Lords, therefore, finding him unable to deny the alleged facts, and indisposed to engage for a different behaviour in future, confirmed his deprivation, and discharged him from preaching or exercising any ministerial function within the kingdom.

As a specimen of the equivocating prayers—Mr Charles Key, one of the ministers of South Leith, was charged, in September 1694, with using these expressions, “That God would bless our king and queen, and William and Mary,” or

"our king and queen, William and Mary, and the rest of the 1692.
royal family."'¹

A great number of recruits were now drawn together to be sent Dec. 31.
to Flanders, but the vessels for their transportation were not ready. The Privy Council therefore ordered their distribution throughout the jails of Lothian and Fife, sixty, eighty, a hundred, and even more, to each tolbooth, according to its capacity—for example, two hundred and forty-four to the jails of Musselburgh, Haddington, and Leith—there to be furnished with blankets to lie on by the various magistrates. When it is known that two Jacobite gentlemen had lately petitioned for liberation from Musselburgh jail, on the ground that it did not contain a fire-room, and their health was consequently becoming ruined, it will not seem surprising that a competent troop of horse and foot had to be ordered 'to keep guard upon the said recruits, and take care that none of them escape.'

That a good many, induced either by the hardships of their situation, or the enticements of disaffected persons, did desert the service, is certain: a strict proclamation on this subject came out in April 1694. At the same time, John M'Lachlan, schoolmaster in Glasgow, was before the Privy Council on a charge of having induced a number of soldiers in the regiments lying at that city to desert. 'Being disaffected,' it was said, 'to their majesties' government, he has, so far as possible for thir three or four years past, made it his business to weaken the government, and to instigate and persuade several soldiers to run away.' He did 'forge passes for them.' In particular, in January last, he did 'persuade John Fergusson and John M'Leod, soldiers in Captain Anderson's company in Lord Strathnaver's regiment, then lying at Glasgow, to run away and desert . . . telling them that they were but beasts and fools for serving King William, for that he was sure that the late King James would be soon here again. . . . He had given passes to several of the regiment formerly in garrison at Glasgow, and offered to go with them to a gentleman's house without the Steeple-green port, who was a cousin of his, who would secure them and receive their clothes, and furnish them with others to make their escape; and told them they were going to Flanders, and would be felled there, and so it was best for them to desert, and that he would hide their firelocks

¹ Privy Council Record.

1692. underground, and give them other coats and money, and a pass to carry them safe away.'

- The Council, having called evidence, and found the charge proven, sentenced M'Lachlan to be whipped through the city of Edinburgh, and banished to the American plantations. They afterwards altered the sentence, and adjudged the Jacobite schoolmaster, instead of being whipped, to stand an hour on the pillory at Edinburgh, and an hour on the pillory at Glasgow, under the care of the hangman, with a paper on his brow, with these words written or printed thereon—'John M'Lachlan, schoolmaster at Glasgow, appointed to be set on the pillory at Edinburgh and Glasgow, and sent to the plantations, for seducing and debauching soldiers to run away from their colours, and desert their majesties' service.'

Two days later, the Privy Council recommended their majesties' advocate to prosecute M'Lachlan before the committee anent pressed men, 'for the disloyal and impertinent speeches uttered by him yesterday while he stood upon the pillory of Edinburgh.' What came of this, we do not learn; but on the 8d of July there is a petition from M'Lachlan, setting forth that, after a nineteen weeks' imprisonment, he is sinking under sickness and infirmity, while his family are starving at home, and craving his liberty, on giving assurance that he shall not offend again against the government. His liberation was ordered.

James Hamilton, keeper of the Canongate Tolbooth (July 16, 1696), represented to the Privy Council that it had been customary for him and his predecessors to receive two shillings Scots per night for each recruit kept in the house, with a penny sterling to the servants (being 3d. sterling in all), and their lordships, in consideration of his 'great trouble in keeping such unruly prisoners in order'—he 'being liable to the payment of ten dollars for every man that shall make his escape'—had authorised him to take 'obseisements' from the officers for the payment of these dues, till lately when the authority was withdrawn. This had led to loss on the part of the petitioner, who had now spent all his own means, and further run into debt, so that, 'through continual hazard of captions,' he was threatened with becoming a prisoner in his own jail. He entreated payment of some arrears for General Mackay's recruits, as well as these recent arrears, and likewise for the proper allowance for 'the coiners and clippers,' latterly an abundant class of prisoners, on account of the tempting condition of the coin of the realm for simulation. The Lords

recommended Hamilton to the treasury for payment of the monies due to him.¹

Though Scotland had long enjoyed the services of four universities, the teaching of any of the natural sciences was not merely unknown in the country, but probably undreamed of, till the reign of Charles II. The first faint gleam of scientific teaching presents itself about 1676, when, under the fostering care of Dr (afterwards Sir) Robert Sibbald, a botanic garden was established near the Trinity College Church, as a means of helping the medical men of Edinburgh to a better knowledge of the pharmacopœia. It was put under the care of James Sutherland, who had been a common gardener, but whose natural talents had raised him to a fitness for this remarkable position. In his little garden in the valley on the north side of the city, he taught the science of herbs to students of medicine for small fees, receiving no other encouragement besides a salary from the city of twenty pounds, which did not suffice to pay rent and servants' wages, not to speak of the cost of new plants. At the time of the siege of Edinburgh Castle in the spring of 1689, it had been thought necessary, for strategic reasons, to drain the North Loch, and, as the water ran through the Botanic Garden, it came to pass that the place was for some days under an inundation, and when left dry, proved to be covered with mud and rubbish, so that the delicate and costly plants which Sutherland had collected were nearly all destroyed. It had cost him and his assistants the work of a whole season to get the ground cleared, and he had incurred large charges in replacing the plants. FIG. 2.

At this date, the Privy Council, on Sutherland's petition, took into consideration his losses, his inadequate salary, and the good service he was rendering, 'whereby not only the young physicians, apothecaries, and chirurgeons, but also the nobility and gentry, are taught the knowledge of the herbs, and also a multitude of plants, shrubs, and trees are cultivated which were never known in this nation before, and more numerous than in any other garden in Britain, as well for the honour of the place as for the advantage of the people.' They therefore declared that they will in future allow Mr Sutherland fifty pounds a year out of fines falling to them, one half for expenses of the garden, and the other half by way of addition to his salary.²

¹ Privy Council Record.

² Privy Council Record.

1688.
APR. 12.

Mr Stephen Maxwell, 'alleged to be a Romish priest,' prisoner in Blackness Castle, Mr George Gordon, Mr Robert Davidson, and Mr Alexander Crichton, 'also alleged to be popish priests,' and prisoners in the Edinburgh Tolbooth, were ordered to be set at liberty, provided they would agree to deport themselves from the kingdom 'in the fleet now lying under convoy of the man-of-war lying in the Road of Leith,' and give caution to the extent of a hundred pounds that they would never return. On the 17th, Mr James Hepburn, 'alleged to be a popish priest,' was ordered to be liberated from the Canongate Tolbooth on the same terms. All of these gentlemen had been for many months deprived of their liberty.

There still lay in Blackness Castle one John Seaton, who had been apprehended in December 1688, on suspicion of being a priest, and confined ever since, being four and a half years. He had been offered the same grace with the rest; but he was prevented by his personal condition from accepting it. According to his own account, he was seventy years of age. He 'has not only spent any little thing he had, but his health is likewise entirely ruined, beyond any probability of recovery.' He was most willing to have gone abroad, 'where he might have expected better usage for one in his condition than he can reasonably propose to himself anywhere in this kingdom;' but 'when the rest went away above a month ago, finding his health so totally broken by sickness, old age, and imprisonment, and his infirmity still growing worse,' he was 'necessitat to continue prisoner, rather than hazard a long sea-voyage, whereby he could expect no less than an unavoidable painful death, the petitioner, when formerly in health and strength at sea, being still in hazard of his life.' John Seaton further represented that he had never, during his long imprisonment, received any support from the government, but been maintained by the charity of his friends. He now prayed the Council that they would take pity on him, and 'not permit him, an old sickly dying man, to languish in prison for the few days he can, by the course of nature and his disease, continue in this life,' but let him retire to 'some friend's house, where he may have the use of some help for his distressed condition, and may in some measure mitigate the affliction he at present lies under by old age, sickness, poverty, and imprisonment.'

The Council ordered Seaton to be liberated.¹

¹ Privy Council Record.

For some time past there had been an unusual and alarming number of highway robberies. One case, of a picturesque character, may be particularised. William M'Fadyen, who made a business of *droving* cattle out of Galloway and Carrick to sell them in the English markets, had received a hundred and fifty pounds sterling at Dumfries, and was on his way home (December 10, 1692), about four miles from that town, when at sunrise he was joined by two men, 'one in a gentleman's habit, mounted on a dark-gray horse, with a scarlet coat and gold-thread buttons. He was of extraordinary stature, with his own hair, sad-coloured, ane high Roman nose, slender-faced, thick-lipped, with a wrat [wart] above one of his eyes as big as ane nut, and the little-finger of his left hand bowed towards his loof'—a peculiarity, by the way, which the Duke of Lauderdale believed to denote a man who would come to some sad and untimely end. 'The other appeared to be his servant, and was also mounted upon ane dark-gray horse, and carried a long gun.' 'After they had travelled about half a mile on the way, the servant said he was going through the muir, and desired [M'Fadyen] to go along with him, which he refused; whereupon he beat [M'Fadyen] with the but-end of his gun, and said he would make him go. Immediately thereafter, the other came up, and presented a pistol to his breast; and so, after he had made what defence he was able, and had received several wounds, they carried him about a quarter of a mile off the way, and cut the cloak-bag from behind his saddle, and carried away his money.'

Among other steps taken by the Privy Council in consequence of this daring robbery, was to 'recommend Sir James Leslie, commander-in-chief for the time of their majesties' forces within this kingdom, to cause make trial if *there be any such person, either officer or soldier, amongst their majesties' forces*, as the persons described.' They sent the same recommendation to the Earl of Leven with regard to 'the officers which are come over from Flanders to levy recruits.'

This seems to have put the military authorities upon their mettle, and they engaged a certain Sergeant Fae, of Sir James Leslie's regiment, as a detector of the robbers, 'upon his own expenses, except five pounds allowed him by the [Privy Council].' The sergeant, an enterprising fellow, with 'a perfect abhorrence of such villainies,' went into the duty assigned him with such zeal and courage, that he soon, at the hazard of his life, made seizure of several robbers, of whom two were convicted. Three

1693. months of this work having, however, exhausted his means, he
 APR. 5. was obliged to petition for further encouragement, and the Privy Council ordered him ten pounds for the past service, and five pounds for every robber whom he might apprehend, and who should be convicted in future.¹

APR. 11. A great number of the smaller lairds of Fife were Jacobite; among the rest, David Boswell of Balmouto. On the other hand, the Earl of Leven, one of the nobility of the county, stood high in office under the Revolution government. Besides a general quarrel with the earl on this ground, Balmouto had probably some private cause of offence to exasperate him; but on this point we only have conjecture.

At the date noted, there was a horse-race at the county town, Cupar; and both gentlemen attended. It is alleged that Balmouto first waited near a house in the town where the earl was, in expectation of his coming forth, but afterwards went away to the race-ground. There, as the earl was quietly riding about, Balmouto came up to him behind his back, and struck him twice or thrice over the head and shoulders with a baton. On his lordship turning to defend himself, the assailant struck the horse on the face, and caused it to rear dangerously. Balmouto then fired a pistol at the earl without effect, and was immediately seized by the bystanders, and prevented from doing further mischief.

In a debate before the Privy Council on this case, after hearing representations from both parties, it was held that the earl's complaint was proved, while an attempt of Balmouto to make out a counter-charge of assault against Lord Leven was declared to have failed. Balmouto was obliged to beg the earl's pardon on his knees, and, on pain of imprisonment, give caution for future good-behaviour.

On the ensuing 13th of March 1694, Balmouto is found representing to the Council that 'his misfortune has been so great, that his friends are unwilling to interest themselves in his liberation, whereby his family is in hazard to be ruined, and himself to die in prison;' and he craved that they would accept his personal obligation, and allow him his liberty. The Earl of Leven having concurred in desiring this, the petition was complied with.²

¹ Privy Council Record.

² Privy Council Record.

A broadside published this month at Glasgow, under the title of the *Scottish Mercury*, 'by Mr John Stobo, student in astrologo-physick,' being dated, however, 'from Kirkintilloch, where I dwell,' makes us aware that the almanac-making charlatanry was not unknown in Scotland. We learn from it that the French nation are near a sad calamity; that there were fears of conspiracies about Rome and Milan; and Constantinople not likely to be free from tumultuous uproars of the soldiery. 'The conjunction of Venus with Jupiter relates to some great lady's marriage.' The author professes to ground upon natural causes, but not to conclude positively about anything—'that belongs to God's providence.' Finally, there is an advertisement informing the world that John Stobo, as is known in many parts of this kingdom, cures infallibly all diseases, cures cataracts, amputates, &c., working for the poor gratis, and imposing upon the rich 'as little cost as may be.'

1689.
JUNE

To promote the making of linen in Scotland, an act was passed in 1686, ordaining that 'no corps of any persons whatsoever be buried in any shirt, sheet, or anything else, except in plain linen,' the relatives of deceased persons being obliged, under heavy penalties, to come to their parish minister within eight days of the burial, and declare on oath that the rule had been complied with.¹ Another act was now passed, ordaining that, for the same end, no lint should be exported from the kingdom; that lint imported should be duty free; and making sundry arrangements for a uniformity in the breadth of the cloth produced. There was likewise still another act conferring particular privileges on two companies which carried on the linen manufacture in Paul's Work, Edinburgh, and in the Citadel of Leith, as an encouragement which was required for their success.

JUNE 14.

An act was passed at the same time for encouraging James Foulis, John Holland, and other persons named, in setting up a manufactory of 'that sort of cloth commonly called *Colchester Baies*' in Scotland; 'which baies will consume a great deal of wool which cannot be profitable neither at home nor abroad.'

On the same day, there was an act in favour of William Scott,

¹ In July 1695, there was a further act 'anent burying in Scots linen,' ordaining that none should be used for sepulchral purposes above twenty shillings Scots per ell, and also commanding that the nearest elder or deacon of the parish, with one or two neighbours, should be called by the friends of deceased persons to see that the shroud was in all respects conform to the acts thereanent.

1693. cabinet-maker, who designed to set up a coach-work, being, as would appear, the first of the kind that had been proposed in Scotland, though the use of the article 'not only occasions the yearly export of a great deal of money out of the kingdom, but likewise that the lieges cannot be furnished with such necessaries when they have occasion for them, without bringing them from abroad at a double charge, beside sea-hazard.' It was ordained that William Scott should have the privileges of a manufactory 'for making of coaches, chariots, sedans, and calashes, harnish and grinding of glasses,' for eleven years.

On the 28th May 1694, articles of agreement were concluded between Nicolas Dupin, acting for a linen company in England, and the royal burghs and others in Scotland, for the formation of a company to carry on the linen manufacture in this kingdom. It was arranged that the enterprise should rest in a capital of six thousand five-pound shares, one half of which should be held by Englishmen, the rest by Scotsmen, the burghs being each allowed certain shares in proportion to their standing and wealth. The money to be paid in four instalments within the ensuing two years.¹

The linen manufacture is spoken of in 1696 as established, and two years later we find the bleaching was executed at Corstorphine.

Dupin conducted works in England and Ireland for the manufacture of paper, and the establishment of another in Scotland was one of the objects for which he had come to the north. Several of the Scottish nobility and gentry whom he met in London encouraged him in his enterprise, telling him that 'some persons have already attempted to work good writing-paper, but could not effect the same.' In July we find him addressing the Privy Council for permission to erect and carry on a paper-work in this kingdom, setting forth that he had arrived at 'the art of making all sorts of fine paper moulds as good, or better, as any made beyond seas, and at a far cheaper rate, insomuch that one man can make and furnish more moulds in one week than any other workman in other nations can finish in two months' time:' moreover, 'whereas large timber is scarce in this kingdom,' he and his associates 'have arts to make the greatest mortar and vessel for making of paper without timber;' they 'have also provided several ingenious outlandish workmen to work and teach their art in this kingdom.'

On this shewing, Dupin and his friends obtained 'protection and

¹ *Wodrow Pamphlets*, Adv. Lib., vol. 115.

liberty to set up paper-mills in this kingdom, without hindering ^{1693.} any other persons who are already set up;’ also permission ‘to put the coat of arms of this kingdom upon the paper which shall be made by them at these mills.’¹

By an act of Estates two years later, Dupin’s project was sanctioned as a joint-stock concern.²

A rope-manufactory had been some years before established at Newhaven by James Deans, bailie of the Canongate, and one of his sons; but it had been discontinued for want of encouragement, after a considerable loss had been incurred. In November 1694, Thomas Deans, another son of the first enterpriser, expressed himself as disposed to venture another stock in the same work, at the same place, or some other equally convenient, provided he should have it endowed with the privileges of a manufactory, though not to the exclusion of others disposed to try the same business. His wishes were complied with by the Privy Council.

On the 7th May 1696, the privileges of a manufactory, according to statute, were granted by the Privy Council to Patrick Houston and his partners for a rope-work at Glasgow. This copartnery was to set out with a stock of forty thousand pounds Scots, and introduce foreign workmen to instruct the natives.

One David Foster had set up a pin-work at Leith in 1683, and was favoured by the Privy Council with the privileges assigned by statute to manufactories. In January 1695, Foster being dead, his successor, James Forester, came forward with a petition for a continuance of these privileges, professing that he meant to ‘carry on the work to a further degree of perfection, and bring home foreigners to that effect.’ This request was complied with.³

The parliament, in May 1695, granted privileges for the encouragement of James Lyell of Gairden, in setting up a manufactory of oil from seeds, and of hare and rabbit skins for hats, the raw materials having formerly been exported from the country and re-imported in a manufactured state. The Estates at the same time encouraged in like manner certain persons proposing to set up a gunpowder and an alum manufactory, the latter of which arts was stated to have been heretofore not practised in the kingdom.⁴

In July 1697, we hear of the paper-manufactory going on

¹ Privy Council Record.

² Privy Council Record.

³ *Acts of Scottish Parliament*, ix. 429.

⁴ *Acts of Scottish Parliament*, ix. 420.

1693. prosperously under a joint-stock company, producing 'good white paper,' and only requiring a little further encouragement to be 'an advantage to the whole kingdom.' On the petition of the adventurers, the Lords of Privy Council ordained that candle-makers should not use rags for making of wicks, and that the company should have the same power over its instructed servants as had been given to the cloth-work at Newmills. We may infer that the paper-work established at Dalry in 1679¹ was no more, as this manufactory was now spoken of as the only one in the kingdom 'that has either work or design for white paper.'²

A pamphlet in favour of the African Company, in 1696, remarked that Scotland had lately been falling upon true and lasting methods of increasing her trade, by erecting companies 'to manufacture our own natural commodities : ' ' thus we have the woollen-cloth manufactory at Newmills, and the baise-manufactory for our wool, the linen-manufactory, several for leather, and others.' It was likewise remarked that 'soap, cordage, glass, gilded leather, pins, ribands, cambrics, muslins, paper,' and some other articles, which used to be brought from abroad, were now made at home by companies, individuals having heretofore failed to establish them.'³

Dec. 7. Alexander Hamilton, 'formerly merchant in Rouen, now in Edinburgh,' was about to set up 'a bank or profitable adventure for the fortunate in the city of Edinburgh, of twenty-five thousand crowns, in imitation of that lately set up and finished at London with so great ane applause.' It was to consist of 'fifty thousand tickets, each ticket to be bot half ane crown.' He had obtained a licence for it from the Master of Revels, and expended considerable sums 'in making the books, publishing prints, and doing other things necessar.' All that was now wanting was an exclusive privilege for six months from the Privy Council, lest he should be 'prejudged in his undertaking or damnified by the expenses and charges thereof,' from any other person setting up a similar adventure. This privilege was granted.⁴

We learn from a prospectus addressed to the public by Hamilton, that the lottery was to include one ticket of each of the following

¹ See *Domestic Annals of Scotland*, ii. 398.

² Privy Council Record.

³ *Letter from a Gentleman in the Country to his Friend at Edinburgh, &c.* Edin. 1696.

⁴ Privy Council Record.

sums, two hundred, three hundred, one thousand, fifteen hundred, 1694.
two thousand, two thousand five hundred, and three thousand
crowns, besides smaller prizes, of which a hundred at two hundred
crowns were conspicuous. Provided the tickets were taken up in
time, the drawing to take place in Alexander Crombie's great
room, opposite to the entry of the Parliament Close, on the 1st of
March 1694.

It is pleasant, amidst the general details of Scottish life at this 1694.
period, to find that at least one of the civilising arts was beginning
to assert its existence. A man named Beck, with some associates,
had now 'erected a concert of music.' We learn the fact in con-
sequence of an attempt on the part of one Maclean, a dancing-
master, holding the office of Master of the Revels in Scotland, to
obtain a sum from the enterprisers for a licence to be taken out
from him, 'before they could set up and exact money, seeing his
office was to inspect and regulate all games and sports, and see
that nothing immoral or indecent should be allowed.' The judges
of the Court of Session refused to enforce Maclean's claim, on the
ground that music was only mentioned in his gift in connection
with plays and puppet-shows, and that 'musicians were not subject
to Masters of the Revels abroad,' where the office was best known,
and that Maclean only 'used it to drain money from them, without
restraining immoralities, if they paid him.'¹ JAN. 10.

The Privy Council had before them the case of Mr Thomas 1694.
Blackwell, student of theology, lately chaplain to Lady Inglis of
Cramond at Barnton House. He seems to have felt his spirit
galled by some circumstances of his situation, his poor garret-
lodging and attendance, the lady's pedantry in criticising his
prayers, the necessity of courting the parish clergyman, and so
forth, and thus was provoked to pen a long and sorry pasquil in
verse, purporting to be *The Humble Advice of a Wheel-wisher to all*
Dominies, in which he discharged his bile in sufficiently scurrilous
terms. This libel he sent circuitously by the Glasgow carrier to
Lady Cramond, who soon discovered his authorship, and taxed
him with it. At first he made a solemn denial, but he afterwards
owned his offence; and the lady now came for redress to the Privy
Council. The young satirist made the most humble professions
of penitence for his offence, but in vain. He was ordained by the
Council to be banished from Scotland! JAN. 11.

¹ Fountainhall's *Decisions*, i. 590.

1694. We find on the 20th February that Lady Cramond had forgiven Thomas Blackwell, and he on his petition was consequently absolved from his former sentence.¹

FEB. 1. Matthew Forsyth, cook and innkeeper in Edinburgh, represented to the Privy Council that he had been apprehended in September 1691, under cloud of night, by order of Bailie Robert Blackwood, and along with his wife thrown into the Tolbooth, 'for what he knew not,' and was detained there till the 11th of May 1692, 'in a most miserable, penurious, and starving condition, he being put in the Iron House, and his wife in the Woman House.' Though 'the cold of the winter' was well known to be 'most violent,' 'they did not see any fire except a candle;' and during the whole time 'they never got a bed, but lay on the cold floor.' 'Having no mean of subsistence, they were necessitat to sell the clothes off their backs to maintain them, and all they got in the day was two plack-loaves betwixt them [a plack being the third of a penny].' Meanwhile, the officers who apprehended them took from their house everything they had 'for back, bed, or board,' leaving nothing but 'two great raxes [spits], a dropping-pan, and some chests and bedsteads.' The entire value of what was taken away was not less than two thousand pounds Scots. Matthew had called on the magistrates to say what was at his charge; but they turned him over to the Privy Council, which again turned him to the Lords of Justiciary. These afterwards, finding that the magistrates would not proceed, ordered his liberation and that of his wife. Being reduced by this treatment to 'extreme poverty,' he was now unable to prosecute for redress, unless the Court of Session should put him upon their gratis-roll. At his petition, the Privy Council recommended the Court to extend to him this benefit.

On a subsequent occasion, June 7, 1694, Forsyth and his wife came before the Privy Council with a charge against the persons by whom he had been so severely treated, as also for defaming him as a resetter of stolen goods. It appeared that the whole affair arose from a suspicion entertained against him respecting a missing silver standish belonging to the Duke of Queensberry, and some other articles belonging to Cornet Drummond of Lord Newbottle's dragoons. We see no trace of any legal attempt to substantiate this charge; nevertheless, Forsyth having failed to

¹ Privy Council Record.

appear in order to make good his complaint, the Lords ordered him ^{1694.} to be denounced rebel, searched for, and if found, committed to prison, 'for contempt and disobedience,' his movable goods to be forfeited, and his wife, in the meantime, to be 'incarcerat.'¹

A petition from the Commissioners of Supply for the county of ^{MAR. 8.} Inverness to the Privy Council, sets forth the hardships they were subjected to by the failure of many to pay their shares of cess and other public burdens. The complaint referred more particularly to certain 'inaccessible' parts of the shire, as the Isle of Skye, Uist, Barra, and Raasay. All methods hitherto taken to enforce payment had proved ineffectual, for 'when parties were sent out to intimate quartering, they must instantly return, seeing they can have no conveniency either for themselves or their horses; and when parties have been again sent to poind for cess or deficiency, the heritors always get intelligence, and drive away the cattle, and what further remains in their houses or on their land is of no value.' Assistance was craved from the government troops to seize and imprison the heritors deficient, of whom M'Kinnon of M'Kinnon is mentioned as owing 'for seven by-run [monthly] terms,' Kenneth Milquo in Uist for nine, and Donald M'Donald, brother to M'Donald of Slait, for twenty terms. The petition was complied with.²

Another example of the difficulties of taxation in the Highlands in those times is afforded by a letter addressed, at Ruthven in August 1697, to some unknown person by twenty-five Strathspey gentlemen, remonstrating against a claim for gratuitous coal and candle. The principal persons here concerned were William M'Intosh of Borlum, A. M'Pherson of Killiehuntly, Alexander M'Pherson of Phones, J. M'Pherson of Benchar, J. Gordon in Kingussie, and William M'Pherson of Nuid. They say: 'We understand by Borlum, our bailie, that you desire to know this day our resolutions anent the furnishing you coal and candle without payment. You know very weel how heavy that burden has lyen upon us, and that it has so exhausted us, that much of our country is wasted, and therefore we do assure you by these that we will not advance you any more coal and candle without pay, because there is no law for it, and you may as well take away all our property by force and violence, as impose upon us any taxes arbitrary without authority or law. Property and liberty is

¹ Privy Council Record.

² Privy Council Record.

1694. the thing we contend for against arbitrary power, and resolves to adhere to the act of Council and secretary's lëtter in our favours, as the final resolutions of,' &c.¹

It is a great pity that we have not the name of the party addressed; but it may be suspected that it was that of a feudal superior, probably the Duke of Gordon. The language about liberty and property must have sounded strange in such ears from a set of Strathspey vassals.

MAR. 24. Mr John Dysart was inducted as minister of the parish of Coldingham, in place of the previous Episcopalian minister, Mr Alexander Douglas, who retired with a considerable number of the parishioners to worship in a barn near the church. Dysart, a man of strenuous opinions and great resoluteness of character, was determined to carry out the Presbyterian discipline with vigour. He caused a deputation to go to Mr Douglas and demand the pulpit Bible, communion-cups, baptismal-basin, the boxes for the collection or offertory, and the box for the communion-cloth and mortcloth [pall for funerals]; but Douglas seems to have considered himself entitled to retain most of these articles as private property, and only surrendered the box for the mortcloth. The existence of the dissenting body headed by this gentleman afterwards proved very troublesome to Mr Dysart, as it interfered sadly with that moral sway which he, as a properly constituted Presbyterian clergyman, and he alone, was entitled to exercise.

One of his first acts was the setting up of 'a seat for scandalous persons to sit on when they appeared before the congregation.' Here every lapse of virtue was duly expiated by exposure and rebuke. The general vigour of the minister's discipline may be inferred from the fact that, in sixteen years, he held 1169 meetings of his little consistory or session, being at the rate of about one and a half per week. Every particular of private life was open to be investigated by this local inquisition. The elders made regular 'visitations' among the people. For example—'The town was visited, and the visitors report that in William Spur's house there were Gavin Dale in this parish, and John Dale in the parish of Ayton, his brother, in time of divine service, at drink; and being reproved by the aforesaid elders for misspending the Lord's Day, Gavin answered that their kirk (meaning the meeting-house

¹ *Scottish Journal*, ii. 200.

set up and kept up in contempt of the government) was but just now scaled [dismissed], and that they were but refreshing themselves. Elizabeth Cockburn, wife to William Spur, expressed her concernedness to the elders, that such a thing had fallen out in her house, and promised to the elders never to do the like. The session, considering the wickedness of the persons, and the disadvantage they [the session] are [under] by the said meeting-house, by which they fortify themselves against censure, concluded to pass this, and to accept of the promise aforesaid from the woman, who seemed to be grieved for the offence.¹

A large class of cases arose out of quarrels among neighbours. Elizabeth Trunnoch, spouse to John Paulin, had aggrieved Elizabeth Brotherstone, spouse of Archibald Anderson, by calling her a thief. Brotherstone complained to the session, and being summoned, did, according to rule, deposit ten groats, to be forfeited if she should fail in her probation. Trunnoch was interrogate whether she had called the complainer a thief. She answered: 'That she said that George Blair gave her the commendation of a thief by rubbing [robbing] away folk's eldin [fuel], and that she found something of it by taking away her heather at her door, and that she said it in a passion when the complainer had blamed her for worrying of a chicken of hers. After some interrogatories to both the parties, they were removed, and after some reasoning it was found that the complainer was equally guilty in scolding at the time, and if the one must be publicly rebuked before the congregation, the other must be also there rebuked. Two elders, Thomas Aitchison and John Smith, were sent out to confer with them, and to exhort them to take up their private quarrels, and to tell them that [as] the scolding was known to but a few, and so had not given offence to the public congregation, the session was willing that it should go no further. The elders having returned from them, [i. e.] Archibald Anderson and Elizabeth Brotherstone his wife, did report, that, say what they could, the foresaid Archibald insisted to have a rebuke given to Elizabeth Trunnoch before the congregation, and to have her fined for the fault. The session, having maturely considered the affair, concluded that Elizabeth Trunnoch should, upon her knees, before the session, beg pardon of God for the sin of scolding and taking away her neighbour's good name, and after being on her feet, she should

¹ The troubles from the meeting-houses at Coldingham and two neighbouring parishes, led to their being entirely suppressed by the arm of the government in March 1700. [q. v.]

1694. crave the complainer's pardon, and restore her her good name again. Likewise it was concluded that, seeing the complainer was equally guilty in scolding, she should, upon her knees, before the session, beg pardon of God for that sin. They being asked in, the sentence of the session was intimated to them, which was obeyed by both, as was appointed; which being done, they were gravely rebuked for their scandalous speeches one to another, and exhorted to agree better for the future, and to make conscience of bridling their tongues, certifying them that if they should be found guilty again of the like, they should meet with a more public reproof.'

Considering the style of public feeling which dictated and sanctioned such strictness, one is surprised at the character of the offences, as well as their frequency. How was it that, while such a view was taken of the Sunday, there were so many instances of breaking it by 'gaming at the bob and penny game,' by gathering fuel, cutting cabbage, drying nets, and rioting in public-houses? Why, while drunkenness was so hardly looked on, were there so many instances of it at all times of the week? Seeing, too, that the elders had so much power, how should it have been that one challenged by an elder with cabbage-gathering on a Sunday, answered insolently, 'What have ye to do with it?' and, 'Who will nail my lug to the Tron for it?' When society bore so generally a Christian tone, how happened it that William Dewar, farmer in Horsley, should have been so pagan-like as to take a lamb from his flock, and put its head on the top of his chimney, as a charm against the liver-crook in his flock? We must suppose that there was always in those days a great party in the opposition against the religious and moral authorities of the land, its force being what at once called forth and seemed to justify the severity we now remark upon with so much surprise. In short, the barbarous tendencies of the country were still very great.

Cases of imputed witchcraft occupied a large share of attention at the session of Coldingham. The parish had been rather remarkable for its witches. Soon after Mr Dysart's induction as minister, Sir Alexander Home of Renton, an heritor of the parish, but notably a weak man, wrote to Lord Polwarth, informing him of the late great increase of this offence in the district. His father, as sheriff, had at one time 'caused burn seven or eight of them;' but none had been apprehended since, and it was owing to 'the slackness of judges' that there were now so many of bad fame for that crime in the parish. 'I know,' says Sir Alexander,

'your lordship is inclined to do justice,' being of the now pre-^{1694.} dominant professions in religion; so 'it is only proper for your lordship to take notice of it.' He adds: 'If some were apprehended, more would come to light;' and he ends by offering to send a list. In September 1698, Mr Dysart got into great vigour about this class of cases. 'Margaret Polwart, in Coldingham, having a sick child, was using charms and sorcery for its recovery; and Jean Hart, a suspected witch, was employed in the affair; and also Alison Nisbet, who had been lately scratched, or had blood drawn above the breath, by some one who had suspected her of witchcraft. One of the witnesses declared, that she saw Jean Hart holding a candle in her left hand, and moving her right hand about, and heard her mutter and whisper much, but did not understand a word that she said. Another declared, that "she (the witness) did not advise Margaret Polwart to send for Jean Hart; but she heard her say, That thief, Christian Happer, had wronged her child, and that she would give her cow to have her child better; and that witness answered, that they that chant cannot charm, or they that lay on cannot take off the disease, or they that do wrong to any one cannot recover them." Margaret Polwart was publicly rebuked.'

¹

Till this day, it could not be said that Great Britain had wholly ^{APR. 20.} submitted to William and Mary. For nearly three years past, one small part of it—situated within one-and-twenty miles of the capital of Scotland—had held out for King James; and it only now yielded upon good terms for the holders. This was the more remarkable, as the place was no ancestral castle, resting on the resources of a great lord, but, in reality, one of the state fortresses, which fortune had thrown into the hands of a few bold spirits, having no sort of authority to take or retain possession of it.

The place in question was that singular natural curiosity, the islet of the Bass, situated a couple of miles off the coast of East Lothian, in the mouth of the Firth of Forth. As well known, while rising a column of pure trap straight out of the sea, it shelves down on one side to a low cliff, where there is a chain of fortifications, with a difficult landing-place underneath. The late government had employed this fortalice as a state-prison, chiefly for troublesome west-country clergymen. After the

¹ The above, and some other curious extracts from the parish register of Coldingham, are given in an interesting volume, entitled *History of the Priory of Coldingham*. By William King Hunter. Edinburgh, 1858.

1691. Revolution, the new government sent some of Dundee's officers to undergo its restraints. On the 15th of June 1691, while most of the little garrison were employed outside in landing coal, four of these prisoners, named Middleton, Halyburton, Roy, and Dunbar, closed the gates, and took possession of the fortress. Next evening, they were joined by Crawford younger of Ardmillan, with his servant and two Irish seamen. The Privy Council at Edinburgh was greatly enraged, but it had no means of reducing the place. It could only put a guard on the shore to prevent intercourse with the land, and make a couple of armed boats cruise about to intercept marine communications.

Months elapsed. The Jacobite garrison led a merry life amidst the clouds of sea-birds which were their only associates. There was no lack of stirring adventure. Young Ardmillan went off in a boat, and brought in a load of provisions. Others contrived to join them, till they were sixteen men in all. A Danish galliot came under their guns one day, ignorant of what had happened, and was sacked of all it contained. Predatory boat-parties, which went out by night, laid all the coast between the Tyne and the Tay under contribution. The government, for a time, seemed powerless. The island was too far from the land to be thence bombarded; ships' cannon could not mark at its cliff-built towers. The garrison, having plenty of ammunition, were on their own part formidable. After an ineffectual beleaguering of upwards of two years, a small war-vessel called the *Lion*, with a dogger of six guns, and a large boat from Kirkcaldy, came to cruise off the island; but by this time their friends in France were interested in their welfare, and in August 1693, a frigate of twelve guns came up to the Bass, and anchored under its cannon. At sight of it, the government vessels disappeared. Large succours were thus given. Some months after, a Dunkirk privateer came in like manner, but was attacked by the *Lion*, and beaten.

The only very painful occurrence for the besieged was the seizure of a person named Trotter, who had supplied them with provisions. To frighten them, his execution was ordered to take place at Castleton, in sight of the isle. While the preparations were making, a shot from the Bass broke up the assemblage, but did not prevent the sacrifice being made at another place.

It was not till the spring of this year that the measures of the government for cutting off supplies from the Bass began sensibly to tell upon the besieged. When reduced to a point near starvation, and treating with the enemy, Middleton and his companions

contrived still to appear well off, and full of good spirits. When the commissioners came to the rock, the governor gave them what appeared a hearty lunch of French wine and fine biscuit, telling them to eat and drink freely, as there was no scarcity of provisions. On their departure, he had the walls bristling with old muskets, with hats and coats, as if there had been a large garrison. The consequence was, that the cavaliers of the Bass finally came off with life, liberty, and property—even with payment of their arrears of aliment as prisoners—and, it is needless to say, the unmixed admiration and gratitude of the friends of King James.

The Hon. William Livingstone of Kilsyth, after enduring ^{MAY 2.} almost every form of captivity for several years, was now at length liberated, along with the Lord Bellenden, both on similar conditions—namely, that they should leave their native land for ever within little more than a month, under security to the extent of a thousand pounds sterling each, and engage thereafter in no movement of any kind against the existing government. We hear of the two gentlemen soon after asking a short respite, as the Dutch vessel in which they had hired a passage from Leith for Holland, was not yet ready to sail; and this grace they obtained, but only till the vessel should be ready.

Livingstone, in his forlorn voyage, was accompanied by his wife, Jean Cochrane, of the Ochiltree family, and the widow of Lord Dundee. This union had happened about a year after Killiecrankie, in consequence of Mr Livingstone meeting the lady on a visit at Colzium House, in Stirlingshire. As a pledge of his love, he presented her with a ring, which, unluckily, she lost next day while walking in the garden. This was considered an evil omen. A reward was offered to any one who should find the bijou, but all in vain.

The pair now went with their only child, an infant, to Rotterdam. One afternoon, the lady attended the Scotch church there, when Mr Robert Fleming, the minister, was officiating. This is a divine of some celebrity, on account of a singular work he published in 1701 on *The Rise and Fall of the Papacy*, in which he announced the likelihood that the French monarchy would experience a humbling about the year 1794. On the present occasion, if we are to believe a story reported by Wodrow, he stopped in the middle of his discourse, and declared that 'he was, he knew not how, impressed with the thought that some heavy

1834. and surprising accident was, within a few hours, to befall some of the company there present.'¹

This vaticination, if it ever was uttered, was sadly fulfilled. That afternoon, Kilsyth, his wife, and another gentleman, went into the room where the child lay with its nurse, Mrs Melville. Suddenly, the roof, which was thickly covered with turf-fuel, fell down, and buried the whole party. Kilsyth and his male visitor got out alive and unhurt, after being under the ruins for three-quarters of an hour. The lady, the nurse, and child, were all found dead. The bodies of Lady Dundee and her infant were carefully embalmed, and sent to be interred in their own country.²

Much interest was felt a century after, when it was announced (May 1795) that the body of this unfortunate lady and her babe had been found in perfect preservation in the vault of the Viscounts of Kilsyth in Kilsyth Church. Some idle boys, having made their way into the vault, tore up a lead coffin, and found a fresh one of fir within, enclosing the two bodies embalmed, and looking as fresh as if they were only asleep. The shroud was clean, the ribbons of the dress unruffled, not a fold or knot discomposed. The child, plump, and with the smile of innocence arrested on its lips, excited pity and admiration in every beholder. A patch on the lady's temple concealed the wound which had caused her death. When the face was uncovered, 'beautiful auburn hair and a fine complexion, with a few pearly drops like dew upon her face, occasioned in the crowd of onlookers a sigh of silent wonder;' so says the contemporary account. There was no descendant of the family to enforce respect for these remains: the husband of the lady had, as Viscount Kilsyth, forfeited title and estate in the insurrection of 1715,³ and his name was no more. But after public curiosity had been satisfied, a neighbouring gentleman caused the vault to be again closed.

There was not yet an end to the curious circumstances connected with Dundee's widow. The year after the discovery of the

¹ *Analecta*, ii. 250. Wodrow tells us that Lady Dundee had been very violent against the Presbyterians, and 'used to say she wished that, that day she heard a Presbyterian minister, the house might fall down and smother her, which it did.'

² *Analecta Scotica*, i. 187. Wodrow's *Analecta*, ii. 250.

³ William Livingstone survived his wife nearly forty years. In the *Caledonian Mercury* for February 6, 1738, is this paragraph: 'We are assured private letters are in town, giving account, that on the 12th of last month, the Right Hon. the late Viscount Kilsyth died at Rome, in an advanced age, in perfect judgment, and a Christian and exemplary resignation.'

embalmed corpses in Kilsyth Church, a tenant of Colzium garden, 1694. digging potatoes, found a small glittering object in a clod of earth. He soon discovered it to be a ring, but at first concluded it was a bauble of little value. Remembering, however, the story of Lady Dundee's ring, lost upwards of a century before, he began to think it might be that once dear pledge of affection, and soon ascertained that in all probability it was so, as within its plain hoop was inscribed a posy exactly such as the circumstances would have called for—*Zours onlly & Euer*. The lover and his family and name were all gone—his chosen lay silent in the funeral vault: but here was the voice of affection still crying from the ground, and claiming from another generation of men the sympathy which we all feel in each other's purer emotions.

James Young, writer in Edinburgh, stated to the Privy Council that he had been at great pains and expense in bringing to perfection 'ane engine for writing, whereby five copies may be done at the same time, which it is thought may prove not unuseful to the nation.' He requested and obtained a nineteen years' privilege of exclusively making this 'engine' for the public. JUNE 14.

Young seems to have been a busy-brained man of the inventive and mechanical type, and as such, of course, must have been a prodigy to the surrounding society of his day. In January 1695, we find him again coming before the Privy Council, but this time in company with Patrick Sibbald, locksmith, the one as inventor, the other as maker, of a new lock of surprising accomplishments. It 'gives ane account of how oft it is opened, and consequently may be very useful in many cases'—for example, 'though the key were lost, and found by another person, it discovers if that person has opened the lock; if your servant should steal the key, and take things out of the room or cabinet, it discovers how oft they have done it; if you find one of your servants is dishonest, but know not whom to challenge, this lock may set you on the right man; if you have any rooms with fine furniture, pictures, glasses, or curiosities, if you desire your servants not to let any of their acquaintances in to see the room, lest they abuse or break anything in it, though you leave them the key, as in some instances it is necessary, yet this lock discovers if they break your orders, and how oft; if you be sick, and must intrust your keys to a servant, this lock discovers if he takes occasion when you are asleep, to look into your cabinet, and how oft.' It was conceived

that this clever lock 'would be for the public good,' if it were only 'to frighten servants into honesty.' Wherefore the inventor and maker had no hesitation in asking for an exclusive privilege of making it for fifteen years, at the same time agreeing that the price of the simplest kind should be not more than fifteen shillings sterling. The petition was complied with.¹

There was at this time at Grange Park, near Edinburgh, a house called the *House of Curiosities*, the owner of which made an exhibition of it, and professed to have new articles on view every month of the passing summer. A colloquy between Quentin and Andrew² gives an account of it, from which it appears that one of the most prominent articles was the ingenious lock above described. Another was the afore-mentioned writing-engine, but now described as calculated to produce fifteen or sixteen copies by one effort with the pen, and so proving 'an excellent medium between printing and the common way of writing.' A third was thus described by Andrew : 'They took me up to a darkened room, where, having a hole bored through the window, about an inch in diameter, upon which they had fixed a convex lens, the objects that were really without were represented within, with their proper shapes, colours, and motions, reversed, upon a white board, so that, it being a very clear sunshiny day, I saw men, women, and children walking upon the road with their feet upwards; and they told me, the clearer the day, it does the better.' It may be inferred with tolerable confidence that this House of Curiosities was a speculation of James Young, the inventor of the lock and writing-engine.

It is curious to trace the feeling of strangeness expressed in this brochure towards scientific toys with which we are now familiar. Much is made of a *Magical Lantern*, whereby pictures of Scaramouch, Actæon, and Diana, and twenty others, 'little broader than a ducatoon,' are 'magnified as big as a man.' *Eolus's Fiddle*, which, being hung in a window, 'gives a pleasant sound like an organ, and a variety of notes all the day over,' is descanted upon with equal gusto. 'Sometimes it gives little or no satisfaction,' Andrew admits; 'but when I was there, it happened to do very well.' There is also a very animated account of a machine for telling how far you have travelled — the modern and well-known pedometer.

¹ Privy Council Record.

² *A Summer's Divertisement of Mathematical and Mechanical Curiosities, being an Account of the Things seen at the House of Curiosities, near Grange Park.* Edinburgh: James Watson. 1695.

One of the articles for the month of June was of such a kind ^{1694.} that, if reproduced, it would even now be original and surprising. It is a *Horizontal Elastic Pacing Saddle*—horizontal, because it had four pins to keep it level; elastic, because of four steel springs; and pacing, because designed to make one have the sensation and experiences of pacing while in reality trotting. ‘I saw it tried by three or four gentlemen, who all gave good approbation of it.’

Another of the June articles serves to shew that the principle of the *revolver* is no new invention. It is here called *David Dun’s Machine*, being a gun composed of ten barrels, with forty breeches adapted to the ends of the barrels, ‘somewhat like that of a rifled gun.’ ‘The breeches are previously charged, and in half a minute you may wheel them all about by tens, and fire them through the ten barrels.’

Amongst the other articles now well known are—a *Swimming-belt*—a *Diving Ark*, identical with the *Diving Bell* since re-invented—a *Humbling Mirror*, the object of which is to reflect a human being in a squat form—and the *Automatical Virginals*, which seem neither more nor less than a barrel-organ with clock-work. ‘It plays only foreign springs, but I am told it might be made to play Scots tunes.’ There was also the now little-heard-of toy called *Kircher’s Disfigured Pictures*. A sheet of strangely confused colouring being laid down on a table, a cylinder of polished metal is set down in the midst of it, and in this you then see reflected from the sheet a correct picture of some beautiful object. ‘There happened to be an English gentleman there, who told it was one of the greatest curiosities now in Oxford College.’ It was a toy, be it remarked, in some vogue at this time among the Jacobites, as it enabled them to keep portraits of the exiled royal family, without apprehension of their being detected by the Lord Advocate.

Not long after, we find Young coming forward with an invention of a much more remarkable kind than either the detective-lock or the manifold writing-engine. He stated (July 23, 1696) that he had invented, and with great expense perfected, ‘ane engine for weaving, never before practised in any nation, whereby several sorts of cloths may be manufactured without manual operation or weaving-loom.’ He had ‘actually made cloth thereby, before many of the ingenious of this kingdom.’ He believed that this engine might, with due encouragement, prove highly useful, ‘especially for the trade to Africa

1691. and the Indies,' and therefore petitioned the Privy Council for the privileges of a manufactory and for a patent right. The Lords complied with his request, giving him exclusive use of his machine for thirteen years.

On the 12th December 1695, Nicolas Dupin, whom we have seen engaged in preparations for the manufacture of linen and of paper in Scotland, comes before us in the character of a mechanical inventor. He professed, in association with some ingenious artists, and after much cost and travel in foreign parts, to have 'brought to perfection the yet never before known art and mystery of drawing water out of coal-pits.' 'In twenty fathoms deep,' says he, 'we can raise in two minutes' time a ton of water, provided the pit or *sheft* will admit of two such casks to pass one another.' It was done easily, the work being performed 'by the true proportions and rules of hydrostaticks, hydronewmaticks, and hydrawliacks.'¹ The machine was calculated to be useful for 'all manner of corn-mills work, where water is scarce or frozen,' for 'we can grind by one man's hand as much as any water-mill doth.' It was adapted 'for draining of lochs [lakes] or bringing of water to any place where water is wanting,' and 'for clearing of harbour-mouths from great rocks or sand.' 'In a short time, any vast weight that seems to be past lifting by men's strength, this our engine shall lift by one man's strength, more than twenty men shall do, being present altogether to the same lift.' Our mechanist had also a smaller engine, with the same economy of power, for a more household sort of work, such as mincing of tallow for candles, 'ane very exact way of cutting tobacco,' for cutting of tanner's bark, &c., 'without the assistance of either wind or water.' Several noblemen and gentlemen were said to be ready to treat with the inventor for the draining of certain drowned coal-pits; but it was necessary, before such work was undertaken, that the engines should be protected by a patent. On his petition, the Privy Council granted a patent for eleven years.²

Two years later (1696) Mr David Ross, son of a deceased provost of Inverness, succeeded, to his own satisfaction, in discovering a *perpetuum mobile*. He divulged his plan to certain persons, his neighbours, who consequently prepared to enter into a bond or oath, giving assurance that they should not, by word, write, or sign, divulge the secret before the inventor should obtain

¹ Nicolas's spelling is here given *literatim*.

² Privy Council Record.

a patent, unless he should himself do so, or should be removed 1694.
from the world, 'in which it shall be both lawful and expedient
that we discover the same.'¹

We get an idea of what was at this time considered a fair price JULY 10.
for land in proportion to rent in Scotland, from a case now before
the Court of Session. Sir John Clerk of Pennecmik and Archibald
Primrose of Dalmeny had bought the baronies of Nicolson and
Lasswade at a roup or auction, the one estate at *twenty-four*,
the other at *twenty-two years' purchase*, which they afterwards
represented as 'a dear rate.' There being a doubt as to the party
who should receive the price, the purchasers would have to pay six
per cent. on the purchase-money, by way of interest, until that
point was settled, while only realising about four per cent. for their
outlay: hence they applied to the court for leave to consign the
money—which was refused.²

Among numberless symptoms of dissatisfaction with the church AUG.
now established by law, one of a trivial yet characteristic nature
occurred in this and the preceding month, when several students
and others made a practice of interrupting the minister of Old
Aberdeen by striking up the doxology in several corners of the
church, at the moment he was pronouncing the benediction. In
the charge brought against them, October 3, before the Privy
Council, it was alleged that this must have been done merely to
disturb the congregation and vex the minister, as being a Presby-
terian, albeit they could not but know that Presbyterians do
nowhere condemn the doxology, 'which, where it is in use, is
reverently regarded, and never offered to be interrupted by any
good Christian.' It was likewise alleged of the same young men
that they were in the custom of offering affronts and indignities
to the elders at their meetings 'by hootings, bellowings, throwing
of stones, and offering to rabble them when they walk on the
streets.'

Three of the accused, having appeared and made submission,
were absolved. The other three, not having appeared, were put
to the horn, and their goods escheat.³

Lord Lindsay's regiment was now quartered in Glasgow, under OCT. 12.
the temporary command of Major James Menzies, whom, from his

¹ From 'a double of the oath' in the *Kilravock Papers*, Spald. Club publication, p. 387.

² Fountainhall's *Decisions*, i. 629.

³ Privy Council Record.

1884. name, we may conclude to have been of Highland birth. Some of the towns-people had been apprehended by the major as deserters, and put into confinement, whence they claimed the protection of the magistrates, who quickly interceded in their behalf, requesting that the alleged culprits might be brought before them for an investigation of the case. This being pointedly refused by the major, the magistrates issued a formal edict demanding that the men might be produced; but this the major treated with the same contempt. They then sent a civil request for a conference on the case, and the major having consented, the provost, two bailies, and Mr Robert Park, the town-clerk, met Menzies and three of his captains in the town-clerk's chamber.

The conference commenced with a request in gentle terms from the provost, that the people might be brought forward, and in this request Mr Park very civilly joined. An altercation then took place between the major and the town-clerk, the former calling the latter a fool, the latter in return calling the major an ass, who, then losing patience, struck the man of peace with his cane. A heavy blow of the fist of the town-clerk was instantly replied to by the major with a lunge of his sword, whercupon Mr Park fell dead at his feet.

There was immediately a great hubbub in the chamber, and it soon spread to the streets, into which Menzies rushed without hat or wig, and with the bloody sword in his hand. He called his men—he planted them threc-deep across the chief line of street, to stop the mob, and, mounting his horse at the Gorbals, fled amain.

Mr Francis Montgomery, a member of the Privy Council, was in Glasgow at the time. He readily concurred with the magistrates in authorising three citizens to pursue the murderer. They were John Anderson of Dowhill,¹ John Gillespie, merchant, and Robert Stevenson, glazier. As they travelled along the line of the Clyde on Menzies's track, they were joined by Peter Paterson, late bailie of Renfrew. Anderson alone was armed; he had two pistols.

The unfortunate major was traced to the house of Rainhill, where, entering the garden, the pursuers soon found him. Gillespie, who had got one of Anderson's pistols, accompanied by Stevenson, advanced upon the murderer, who came up with a fierce

¹ James Peedie of Roughill and John Anderson of Dowhill were the first merchants who brought a loading of cherry-sack into this city.—*M'Ure's Hist. Glasg.*, p. 250.

countenance, asking what was the matter. Paterson told him there had been a man slain in Glasgow, and the murderer was supposed to be here: 'If you be he,' added Paterson, 'may God forgive you!' Menzies replied: 'It is no business of yours;' whereupon one of the others called out: 'Dowhill, here is the man.' Then the major, drawing his sword, and using a horrible imprecation, came forward, crying: 'What have the rascals to do with me?' The men retreated before him, and a pistol was fired in self-defence, by which Menzies was slain. When Paterson returned a minute after, he found him lying on his back, dead, with his drawn sword across his breast.

Strange to say, Henry Fletcher, brother of Lord Salton, and Lieutenant-colonel Hume, for the interest of his majesty's forces, raised a prosecution against the three Glasgow citizens for murder. It ended in a verdict of *Not proven*.¹

Previous to 1705, when the first professor of anatomy was appointed in the university of Edinburgh, there were only a few irregular attempts in the Scottish capital to give instructions in that department of medical education. We first hear of dissection of the dead body in our city in the latter part of the year 1694, a little before which time the celebrated Dr Archibald Pitcairn had left a distinguished position as professor of medicine in the university of Leyden, and marrying an Edinburgh lady, had been induced finally to settle there in practice. On the 14th October, Pitcairn wrote to his friend, Dr Robert Gray of London, that he was taking part in an effort to obtain subjects for dissection from the town-council, requesting from them the bodies of those who die in the correction-house called Paul's Work, and have none to bury them. 'We offer,' he says, 'to wait on these poor for nothing, and bury them after dissection at our own charges, which now the town does; yet there is great opposition by the chief surgeons, who neither eat hay nor suffer the oxen to eat it. I do propose, if this be granted, to make better improvements in anatomy than have been made at Leyden these thirty years; for I think most or all anatomists have neglected or not known what was most useful for a physician.'

The person ostensibly moving in this matter was Mr Alexander Monteith, an eminent surgeon, and a friend of Pitcairn. In compliance with his request, the town-council (October 24) gave

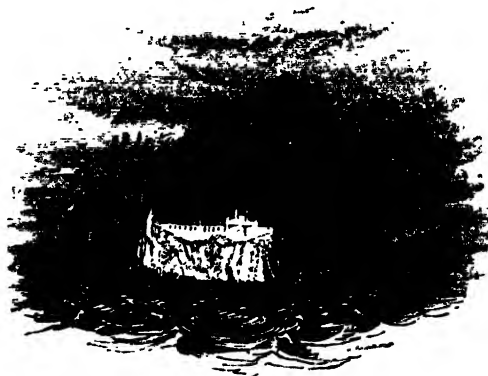
¹ Arnot's *Criminal Trials*, p. 168.

1694 him a grant of the dead bodies of those dying in the correction-house, and of foundlings who die on the breast, allowing at the same time a room for dissection, and freedom to inter the remains in the College Kirk cemetery, but stipulating that he bury the intestines within forty-eight hours, and the remainder of the body within ten days, and that his prelections should only be during the winter half of the year.

Monteith's brethren did not present any opposition to his movement generally; they only disrelished his getting the Council's gift exclusively to himself. Proposing to give demonstrations in anatomy also, they preferred a petition to the town-council, asking the unclaimed bodies of persons dying in the streets, and foundlings who died off the breast; and the request was complied with, on condition of their undertaking to have a regular anatomical theatre ready before the term of Michaelmas 1697.¹

Such were the beginnings of the medical school of Edinburgh.

¹ Chalmers's *Life of Ruddiman*, p. 30. Bower's *Hist. Univ. of Edinburgh*, ii. 153.



The Bass.

REIGN OF WILLIAM III: 1695-1702

DURING this period, the affairs of Scotland were in a marked degree subordinate to those of England. The king, absorbed in continental wars and continental politics, paid little attention to his northern kingdom; he left it chiefly to the care of its state-officers, using as a medium of his own influence, William Carstares, a Presbyterian minister of extraordinary worth, sincerity, and prudence, who had gained his entire esteem and confidence, and who usually attended him wherever he was. A parliament which sat in May 1695, was chiefly occupied with the investigation of the Glencoe massacre, and with measures connected with the rising commercial enterprise of the country, including the formation of a native bank, and that of a company for trading with Africa and the Indies. The latter of these speculations was worked out in an expedition to Darien, and an attempted settlement there, which, through English mercantile jealousy, and the king's indifference to Scottish interests, ended so unfortunately as greatly to incense the Scottish nation, and increase the party disaffected to the Revolution government. The misery hence arising was increased by a dearth from a succession of bad seasons. Nevertheless, this period will be found in our chronicle to have been remarkable for the establishment of manufactories of various kinds, and for various other industrial enterprises, shewing that the national energies were beginning to take a decidedly new direction. At the same time, instances of deplorable superstition, cruelty, and intolerance were sufficiently numerous to attest that the days of barbarism were not past.

Incessant efforts were made by the Jacobite party to procure the restoration of King James, and the discontents excited by Darien were greatly favourable to their views. Yet the heart of the middle class throughout the more important provinces remained firm in Presbyterianism, for which the Revolution government was the sole guarantee; and in this lay an insuperable bar to all reactionary projects. A war against France, which had begun immediately after the Revolution (May 1689), was brought to a conclusion in September 1697, by the treaty of Ryswick, which included an acknowledgment by Louis XIV. of the title of King William to the English throne. The exiled king, old and abandoned to ascetic devotion, indulged a hope that he would outlive William, and be then quietly recalled. He died, however, in September 1701, with only the assurance of the French king in favour

of the restoration of his son. William survived him but a few months, dying of a fever and ague on the 8th March 1702. His vigorous talents, his courage, his essential mildness and tolerance, abated as they were by an unpopular coldness of manners, are amply recognised in English history; among the Scots, while Presbyterians thank him for the establishment of their church, there is little feeling regarding the Dutch king, besides a strong resentment of his concern in the affairs of Glencoe and Darien.

1695.
Feb. 17.

This day, being Sunday, the Catholics of Edinburgh were so bold as to hold a meeting for worship in the Canongate. It was fallen upon and 'dissipat' by the authorities, and the priest, Mr David Fairfoul, with James De Canton and James Morris, fencing-masters, and John Wilson of Spango, were committed to prison, while the Lord Advocate obtained a list of other persons present. The Privy Council ordered the four prisoners to be carried from the Canongate to the Edinburgh Tolbooth, and appointed a committee to take what steps it might think meet regarding the list of worshippers.

On the 28th February, the Council permitted the liberation of the two fencing-masters, on assurance of their doing nothing offensive to the government in future, under a penalty of five hundred merks. At the same time, they ordained 'Harry Graham, and his landlord, James Blair, periwig-maker in Niddry's Wynd; James Brown, son to Hugh Brown, surgeon, and the said Hugh his father; John Abercrombie, merchant in Edinburgh, and John Lamb in the Water of Leith, to give bond in the same terms and under the same penalty;' else to be kept in prison. Orders were given to search for John Laing, writer, John Gordon, writer, and James Scott in the Canongate, 'who, being also at the said meeting, have absconded.' The priest Fairfoul was treated with unexpected mercy, being liberated on condition of banishment, not to return under a penalty of three hundred pounds sterling.¹

Feb. 19.

Robert Davidson, merchant in Ellon, Aberdeenshire, represented to the Privy Council that he had been in a good way of merchandise, and proprietor of a two-story house, when in the beginning of December last some of Lord Carmichael's dragoons were quartered upon him, and deposited their powder in one of his low

¹ Privy Council Record.

rooms. As they were one morning dividing the powder, it caught ^{1695.} fire, and demolished the house, together with his whole merchandise and household plenishing, carrying the bed whereon he and his family lay to the top of the house, and seriously injuring a relative who was living with him at the time, and for the cost of whose cure he was answerable. Robert petitioned for some compensation, and the Council—following its rule of a vicarious beneficence—allowed him to raise a voluntary collection at the church-doors of Aberdeenshire and the two adjacent counties.¹

There never, perhaps, was any mystic history better attested ^{F22.} than that of 'the Rerrick Spirit.' The tenant of the house, many of his neighbours, the minister of the parish, several other clergymen, the proprietor of the ground living half a mile off, all give their testimonies to the various things which they 'saw, heard, and felt.' The air of actuality is helped even by the local situation and its associations. It is in the same parish with Dundrennan Abbey, where Queen Mary spent her last night in Scotland. It is upon the same rock-bound coast which Scott has described so graphically in his tale of *Guy Mannering*, which was indeed founded on facts that occurred in this very parish. Collin, the house of the laird, still exists, though passed into another family. Very probably, the house of Andrew Mackie himself would also be found by any one who had the curiosity to inquire for it; nor would he fail, at the same time, to learn that the whole particulars of this narration continue to be fresh in popular recollection, though four generations have passed away since the event. Few narrations of the kind have included occurrences and appearances which it was more difficult to reconcile with the theory of trick or imposture.

Andrew Mackie, a mason, occupied a small farm, called Ring-croft, on the estate of Collin, in the parish of Rerrick, and stewartry of Kirkcudbright. He is spoken of as a man 'honest, civil, and harmless beyond many of his neighbours,' and we learn incidentally that he had a wife and some children. In the course of the month of February 1695, Andrew was surprised to find his young cattle frequently loose in the byre, and their bindings broken. Attributing it to their unruliness, he got stronger bindings; but still they were found loose in the morning. Then he removed the beasts to another place; and

¹ Privy Council Record.

1696. when he went to see them next morning, he found one bound up with a hair *tether* to the roof-beam, so strait, that its feet were lifted off the ground. Just about this time, too, the family were awakened one night with a smell of smoke; and when they got up, they found a quantity of peats lying on the floor, and partially kindled. It seemed evident that some mischievous agent was at work in Ring-croft; but as yet nothing superhuman was in the surmises of the family.

On Wednesday, the 7th of March, a number of stones were thrown in the house—'in all places of it'—and no one could tell whence they came, or who threw them. This continued during day and night, but mostly during the night, for several days, the stones often hitting the members of the family, but always softly, as if they had less than half their natural weight. A kind of fear began to take possession of the little household, and the father's fireside devotions waxed in earnestness. Here, however, a new fact was developed: the stone-throwing was worst when the family was at prayers. On the Saturday evening, the family being for some time without, one or two of the children, on entering, were startled to observe what appeared a stranger sitting at the fireside, with a blanket about him. They were afraid, and hesitated; but the youngest, who was only nine or ten years of age, chid the rest for their timidity, saying: 'Let us saim [bless] ourselves, and then there is no ground to fear it!' He perceived that the blanket around the figure was his. Having blessed himself, he ran forward, and pulled away the blanket, saying: 'Be what it will, it hath nothing to do with my blanket.' It was found to be a four-footed stool set on end, and the blanket cast over it.

Attending church on Sunday, Andrew Mackie took an opportunity, after service, of informing the minister, Mr Telfair, how his house had been disturbed for the last four days. The reverend gentleman consequently visited Ring-croft on Tuesday. He prayed twice, without experiencing any trouble; but soon after, as he stood conversing with some people at the end of the barn, he saw two stones fall on the croft near by, and presently one came from the house to tell that the pelting within doors had become worse than ever. He went in, prayed again, and was hit several times by the stones, but without being hurt. After this there was quiet for several days. On Sunday it began again, and worse than before, for now the stones were larger, and where they hit, they gave pain. On the ensuing Wednesday, the minister

revisited the house, and stayed a great part of the night, during which he was 'greatly troubled.' 'Stones and several other things,' says he, 'were thrown at me; *I was struck several times* on the sides and shoulders very sharply with a great staff, so that those who were present heard the noise of the strokes. That night it threw off the bed-side, and rapped upon the chests and boards as one calling for access. As I was at prayer, leaning on a bed-side, I felt something pressing up my arm. I, casting my eyes thither, perceived a little white hand and arm, from the elbow down, but presently it evanished.'

The neighbours now began to come about the house, to gratify their curiosity or express sympathy; and both when they were within doors, and when they were approaching or departing, they were severely pelted. Mackie himself got a blow from a stone, which wounded his forehead. After several apparent efforts of a visionary being to seize him by the shoulder, he was griped fast by the hair of the head, and 'he thought something like nails scratched his skin.' This, however, was little in comparison to what happened with some of the neighbours, for, as attested by 'Andrew Tait in Torr,' they were seized and dragged up and down the house by the clothes. 'It griped one John Keig, miller in Auchencairn, so by the side, that he entreated his neighbours to help: it cried it would rive [tear] the side from him. That night it lifted the clothes off the children, as they were sleeping in bed, and beat them on the hips as if it had been with one's hand, so that all who were in the house heard it. The door-bar and other things would go thorough the house, as if a person had been carrying them in his hand; yet nothing seen doing it. It also rattled on chests and bed-sides with a staff, and made a great noise.' 'At night it cried, "Whisht! whisht!" at every sentence in the close of prayer; and it whistled so distinctly, that the dog barked and ran to the door, as if one had been calling to hound him.'

At the request of the laird, Charles M'Lellan of Collin, a number of ministers put up public prayers on account of these strange occurrences, and on the 4th of April two came to the house to see what they could do in behalf of the family. They spent the night in fasting and prayer, but with no other apparent effect than that of rendering the supposed spirit more 'cruel.' One of the reverend gentlemen got a wound in the head from a stone, and the other had his wig pulled off, and received several sore blows, which, however, were healed quickly. A fiery peat was

1695. thrown amongst the people, and in the morning when they arose from prayer, 'the stones poured down on all who were in the house to their hurt.'

Two days after, the affair took a new turn, when Mackie's wife was induced to lift a stone which she found loose at the threshold of the house, and perceived underneath 'seven small bones, with blood, and some flesh, all closed in a piece of old soiled paper;' the blood being fresh and bright. She presently ran to the laird's house, about a quarter of a mile distant, to fetch him; and while she was gone, the spirit became worse than ever, 'throwing stones and fire-balls in and about the house; but the fire, as it lighted, did evanish. It thrust a staff through the wall above the children in bed, shook it over them, and groaned.' The laird came and lifted the bones and flesh, after which the trouble ceased for a little time. Next day, however, being Sunday, it recommenced with throwing of stones and other heavy articles, and set the house twice on fire. In the evening, when the eldest boy was coming home, 'an extraordinary light fell about him, and went before him to the house, with a swift motion.'

On the ensuing morning, the 8th April, Mackie found in his close a letter written and sealed with blood, superscribed thus: '*3 years tho shall have to repent a net it well.*' Within he read: '*Wo be to the Cotlland Repent and tak warning for the door of haven ar all Redy bart against the I am sent for a warning to the to flee to god yet troublt shallt this man be for twenty days a 3 rpent rpent Scotland or els tow shall.*'¹

Following up the old notion regarding the touching of a murdered person in order to discover the murderer, all the surviving persons who had lived in the house during the twenty-eight years of its existence, were convened by appointment of the civil magistrate before Charles M'Lellan of Collin, 'and did all touch the bones,' but without any result.

On a committee of five ministers coming two days after to the house, the disturbing agency increased much in violence. According to the parish minister, Telfair, who was present on this occasion, 'It came often with such force, that it made all the house shake; it brake a hole through the timber and thatch of

¹ These legends appear to have been intended to read as follows: 'Three years thou shalt have to repent, and note it well. Wo be to thee, Scotland! Repent and take warning, for the doors of heaven are already barred against thee. I am sent for a warning to thee, to flee to God. Yet troubled shall this man be for twenty days and three. Repent, repent, Scotland, or else thou shalt'——

the roof, and poured in great stones, one whereof, more than 1000. a quarter weight, fell upon Mr James Monteath his back, yet he was not hurt.' When a guard was set upon the hole in the roof, outside, it broke another hole through the gable from the barn, and threw stones in through that channel. 'It griped and handled the legs of some, as with a man's hand; it hoised up the feet of others, while standing on the ground; thus it did to William Lennox of Mill-house, myself, and others.'

After this, the disturbances went on with little variation of effect for a week or more. A pedler felt a hand thrust into his pocket. Furniture was dragged about. Seeing a meal-sieve flying about the house, Mackie took hold of it, when the skin was immediately torn out. Several people were wounded with the stones. Groaning, whistling, and cries of *Whisht—Bo, bo—* and *Kuck, kuck!* were frequently heard. Men, while praying, were over and over again lifted up from the ground. While Mackie was thrashing in the barn, some straw was set fire to, and staves were thrust at him through the wall. When any person was hit by a stone, a voice was heard saying: 'Take that till you get more;' and another was sure to come immediately.

On the 24th of April, there was a fast and humiliation in the parish on account of the demonstrations at Ring-croft; and on that day the violences were more than ever extreme, insomuch that the family feared they should be killed by the stones. 'On the 26th, it threw stones in the evening, and knocked on a chest several times, as one to have access, and began to speak, and call those who were sitting in the house witches and rooks, and said it would take them to hell. The people then in the house said among themselves: "If it had any to speak to it, now it would speak." In the meantime, Andrew Mackie was sleeping. They wakened him, and then he, hearing it say: "Thou shalt be troubled till Tuesday," asked, "Who gave thee a commission?" It answered: "God gave me a commission, and I am sent to warn the land to repent, for a judgment is to come, if the land do not quickly repent;" and commanded him to reveal it upon his peril. And if the land did not repent, it said it would go to its father, and get a commission to return with a hundred worse than itself, and it would trouble every particular family in the land. Andrew Mackie said: "If I should tell this, I would not be believed." Then it said: "Fetch [your] betters; fetch the

1004. minister of the parish, and two honest men on Tuesday's night, and I shall declare before them what I have to say." Then it said: "Praise me, and I will whistle to you; worship me, and I will trouble you no more." Then Andrew Mackie said: "The Lord, who delivered the three children out of the fiery furnace, deliver me and mine this night from the temptations of Satan!" It replied: "You might as well have said, Shadrach, Meshach, and Abednego." On a humble person present here putting in a word, the voice told him he was ill-bred to interfere in other people's discourse. 'It likewise said: "Remove your goods, for I will burn the house.'"

The house was actually set on fire seven times next day, and the care of the inmates preventing damage of this kind from extending, the end of the house was pulled down in the evening, so that the family was forced to spend the night in the barn. On the second next day, the house being again set fire to several times, Mackie carefully extinguished all fires about the place, and poured water upon his hearth; yet after this, when there was no fire within a quarter of a mile, the conflagrations, as was alleged, were renewed several times.

The period announced in the bloody letter of the 8th instant was now approaching, and in a conversation with Mackie, the supposed spirit good-naturedly informed him that, 'except some casting of stones on Tuesday to fulfil the promise,' he should have no more trouble. Tuesday, being the 30th of April, was the twenty-third day from the finding of the letter. That night, Charles M'Lellan of Collin and several neighbours were in the barn. As he was at prayer, he 'observed a black thing in the corner of the barn, and it did increase, as if it would fill the whole house. He could not discern it to have any form, but as if it had been a black cloud; it was affrighting to them all. Then it threw bear-chaff and mud in their faces, and afterwards did grip severals who were in the house by the middle of the body, by the arms, and other parts of their bodies, so strait, that some said for five days thereafter they thought they felt those grips.' Such, excepting the firing of a sheep-cot next day, was the last that was seen, heard, or felt of the Rerrick Spirit.

So great was the impression made by these incidents, that early in the ensuing year Mr Telfair published an account of them in a small pamphlet, which went through a second edition in Scotland. and was reprinted, with alterations of language,

in London.¹ At the end appeared the attestations of those who 'saw, heard, and felt' the various things stated—namely, 'Mr Andrew Ewart, minister at Kells; Mr James Monteath, minister at Borgue; Mr John Murdo, minister at Crossmichael; Mr Samuel Stirling, minister at Parton; Mr William Falconer, minister at Kelton; Charles M'Lellan of Collin, William Lennox of Millhouse, Andrew and John Tait in Torr, John Cairns in Hardhills, William Macminn, John Corsby, Thomas Macminn, Andrew Paline, &c.' It may be remarked, that for each particular statement in the Relation, the names of the special witnesses are given; and their collected names are appended, as to a solemn document in which soul and conscience were concerned.

The degree of respect felt by the authorities of this age for the rights of the individual, is shewn very strikingly in a custom which was now and for a considerable time after largely practised, of compromising with degraded and imputedly criminal persons for banishment to the American plantations. For example, at this date, thirty-two women of evil fame, residing in Edinburgh, were brought before the magistrates as a moral nuisance. We do not know what could have been done to them beyond whipping and hard labour; yet they were fain to agree that, instead of any other punishment, they should be banished to America, and arrangements for that purpose were immediately made.

In the ensuing June, a poor woman of the same sort; named Janet Cook, residing in Leith, was denounced for offences in which a father and son were associated—a turpitude which excited a religious horror, and caused her to be regarded as a criminal of the highest class. The Lord Advocate reported of Janet to the Privy Council, that she had been put under the consideration of the Lords of Justiciary, as a person against whom 'probation could not be found,' but that the Lords were nevertheless 'of opinion she might be banished the kingdom,' and she herself had 'consented to her banishment.' The Lords of the Privy Council seem to have had no more difficulty about the case than those of

¹ On the 7th of January 1696, the Privy Council gave licence to George Mossman, stationer in Edinburgh, to 'print and sell a book entitled *A True Relation of an Apparition, Expressions, and Actings of a Spirit which infested the House of Andrew Mackie, in Ring-croft of Stocking, in the Parish of Rerrick, &c.*' with exclusive right of doing so for a year.

1695. the Court of Justiciary had had; they ordered that Janet should depart furth of the kingdom and not return, 'under the highest pains and penalties.'

In January 1696, a woman named Elizabeth Waterstone, imprisoned on a charge identical in all respects with the above, was, in like manner, without trial, banished, with her own consent, to the plantations.

On the 7th of February 1697, four boys who were notorious thieves, and eight women who were that and worse, were called before the magistrates of Edinburgh, and 'interrogat whether or not they would consent freely to their own banishment furth of this kingdom, and go to his majesty's plantations in America.' 'They one and all freely and unanimously consented so to do,' and arrangements were made by the Privy Council for their deportation accordingly. It was only ordained regarding the boys that Lord Teviot might engage them as recruits for Flanders, in which case he was immediately to commence maintaining them.

On the 15th February 1698, Robert Alexander, 'a notorious horse-stealer,' now in prison, was willing to appease justice by consenting to banishment without trial. He likewise made discoveries enabling several countrymen to recover their horses. The Privy Council therefore ordained him to be transported by the first ship to the plantations of America, not to return thence under pain of death.

William Baillie, 'ane Egyptian,' prisoner in the Tolbooth of Edinburgh, but regarding whom we hear of no specific offence and no trial, was summarily ordered (Sep. 12, 1699) to be transported in the first ship going to the plantations, the skipper to be allowed a proper gratuity from the treasury, and at the same time to give caution for five hundred merks that he would produce a certificate of the man being landed in America.¹

It was long before justice in Scotland took any qualm about this free-and-easy way of dealing with accused persons. So late as 1732, two men of humble rank—Henderson, a sedan-carrier, and Hamilton, a *street-cadie*—suspected of being accessory to the murder of an exciseman, having *petitioned* for banishment before trial, were sent from the jail in Edinburgh to Glasgow, there to wait a vessel for the plantations.²

¹ Privy Council Record.

² *Caledonian Mercury*, Nov. 20, 1732.

The Earl of Home, as a dangerous person, had for some time been confined to his house of the Hirsell, near Coldstream; but now he was required to enter himself prisoner in Edinburgh Castle. He represented himself as under such indisposition of body as to make this unendurable, and the Council therefore ordered Dr Sir Thomas Burnet, the king's physician, to take a chirurgeon with him to the Hirsell, and inquire into the state of his lordship's health. The doctor and surgeon reported in such terms that the earl was allowed to remain at the Hirsell, but not without caution to the extent of two thousand pounds sterling. For their pains in travelling fifty miles and back, and giving this report, the Council allowed Dr Burnet two hundred merks (£11, 2s. 2d.), and Gideon Elliot, chirurgeon, one hundred merks.¹

1695.
APR. 2.

A *her ship* of cattle having taken place on the lands of Lord Rollo, in Perthshire, the Master of Rollo was pleased to prosecute the matter a little more energetically than was convenient to some of his neighbours. He seems to have particularly excited the resentment of James Edmonstoun of Newton, one of whose tenants was found in possession of a cow reclaimed as part of the *her ship*. Newton, being soon after at the house of Clavidge, spoke some spiteful words regarding the Master, which were afterwards taken notice of. At the same house, about the same time, Patrick Graham, younger of Inchbrakie, spoke in the like angry terms of the Master. 'It has been noised in the country,' said he, 'that I have courted the Master of Rollo, and fawned upon him; but when occasion serves, something different will be seen.'

MAY 20.

These two hot-headed men spent a couple of days together at Ryecroft, a house of young Inchbrakie, and probably there inflamed their common resentment by talking over their grievances. On the day noted in the margin, hearing that the Master of Rollo was to go in the afternoon to Invermay House, they rode to his house of Duncrub, and from that place accompanied him to Invermay, together with the Laird of Clavidge and a gentleman named M'Naughton. Inchbrakie was remarked to have no sword, while his companion Newton was provided with one. Supping at the hospitable board of Invermay, these two conducted themselves much in the manner of men seeking a quarrel. Inchbrakie said to the Master: 'Master, although John Stewart killed and

¹ Privy Council Record.

303. saluted two of your kine, you surely will not pursue him, since your father and his Miss ate them !' Hereupon Clavidge remarked that this was not table-talk ; to which Newton made answer : ' I think you are owning that.' Then Inchbrakie and Newton were observed to whisper together, and the latter was heard saying : ' I will not baulk you, Inchie.' Afterwards, they went out together, and by and by returned to table. What was the subject of their conversation during absence, might only too easily be inferred from what followed.

At ten o'clock the party broke up, and the strangers mounted their horses, to ride to their respective homes. The Laird of Invermay, having observed some mischief brewing in the mind of Newton, endeavoured to make him stay for the night, but without success. The Master, Clavidge, and M'Naughton rode on, with Inchbrakie a little in front of them. When Newton came up, Inchbrakie and he turned a little aside, and Newton was then observed to loose his belt and give his sword to Inchbrakie. Then riding on to the rest of the party, he contrived to lead Clavidge and M'Naughton a little ahead, and commenced speaking noisily about some trivial matter. Hearing, however, the clashing of two swords behind them, Clavidge and M'Naughton turned back, along with Newton, and there saw the Master of Rollo fallen on his knees, while Inchbrakie stood over him. The latter called out to Newton, ' He has got it.' Clavidge rushed to sustain the sinking man, while Inchbrakie and Newton went apart and interchanged a few hurried sentences. Presently Newton came up again, when Clavidge, perceiving that the Master was wounded to the death, cried out : ' O God, such a horrid murder was never seen !' To this Newton, standing coolly by, said : ' I think not so—I think it has been fair.' The poor Master seems to have died immediately, and then Newton went again aside with Inchbrakie, gave him his own hat, and assisted him to escape. In the morning, when the two swords were found upon the ground, the bloody one proved to be Newton's.

Inchbrakie fled that night to the house of one John Buchanan, whom he told that he had killed the Master of Rollo, adding, with tokens of remorse : ' Wo worth Newton—wo worth the company !' and stating further that Newton had egged him on, and given him a weapon, when he would rather have declined fighting.

Inchbrakie escaped abroad, and was outlawed, but, procuring a

remission, returned to his country in 1720.¹ James Edmonstoun 1684. of Newton was tried (Aug. 5, 1695) for accession to the murder of John Master of Rollo, and condemned to banishment for life.² It is stated that, nevertheless, he carried the royal standard of James VIII. at the battle of Sheriffmuir, and even after that event, lived many years on his own estate in Strathearn.³

The Estates at this date advert to the fact that sundry lands MAY. lying along the sea-coast had been ruined, in consequence of their being overwhelmed with sand driven from adjacent sand-hills, 'the which has been mainly occasioned by the pulling up by the roots of bent, juniper, and broom bushes, which did loose and break the surface and scroof of the sand-hills.' In particular, 'the barony of Cowbin and house and yards thereof, lying in the sheriffdom of Elgin, is quite ruined and overspread with sand,' brought upon it by the aforesaid cause. Penalties were accordingly decreed for such as should hereafter pull up bent or juniper bushes on the coast sand-hills.⁴

A remarkable geological phenomenon, resulting in the ruin of a family of Morayland gentry, is here in question. We learn from an act of parliament, passed two months later, that, within the preceding twenty years, two-thirds of the estate of Culbin had been overwhelmed with blown sand, so that no trace of the manor-house, yards, orchards, or mains thereof, was now to be seen, though formerly 'as considerable as many in the country of Moray.' Alexander Kinnaird of Culbin now represented to the parliament, that full cess was still charged for his lands, being nearly as much as the remainder of them produced to him in rent; and he petitioned that his unfortunate estate might, in consideration of his extraordinary misfortune, be altogether exempted from cess. Three years after this date, we hear of the remaining *fourth* part of Culbin as sold for the benefit of the creditors of the proprietor, and himself suing to parliament for a personal protection. In time, the entire ruin of the good old barony was completed. Hugh Miller says: 'I have wandered for hours amid the sand-wastes of this ruined barony, and seen only a few stunted bushes of broom, and a few scattered tufts of withered bent, occupying,

¹ From *Information for his Majesty's Advocate, &c., against James Edmonstoun of Newton*.

² Maclaurin's *Criminal Cases*, p. 10.

³ *Introductions, &c., to Waverley Novels*, i. 255.

⁴ *Acts of Scot. Par.*, ix. 452.

1695. amid utter barrenness, the place of what, in the middle of the seventeenth century, had been the richest fields of the rich province of Moray; and, where the winds had hollowed out the sand, I have detected, uncovered for a few yards-breadth, portions of the buried furrows, sorely dried into the consistence of sun-burned brick, but largely charged with the seeds of the common corn-field weeds of the country, that, as ascertained by experiment by the late Sir Thomas Dick Lauder, still retain their vitality. It is said that an antique dove-cot, in front of the huge sand-wreath which enveloped the manor-house, continued to present the top of its peaked roof over the sand, as a foundered vessel sometimes exhibits its vane over the waves, until the year 1760. The traditions of the district testify that, for many years after the orchard had been enveloped, the topmost branches of the fruit-trees, barely seen over the surface, continued each spring languidly to throw out bud and blossom; and it is a curious circumstance, that in the neighbouring churchyard of Dike there is a sepulchral monument of the Culbin family, which, though it does not date beyond the reign of James VI., was erected by a lord and lady of the lost barony, at a time when they seem to have had no suspicion of the utter ruin which was coming on their house. The quaint inscription runs as follows:

VALTER : KINNAIRD : ELIZABETH : INNES : 1613 :
 THE : BVILDARS : OF : THIS : BED : OF : STANE :
 AR : LAIRD : AND : LADIE : OF : COVBINE :
 QVHILK : TVA : AND : THARS : QVHANE : BRAITHE IS : GANE :
 PLEIS : GOD : VIL : SLEIF : THIS : BED : VITHIN :

I refer to these facts, though they belong certainly to no very remote age in the past history of our country, chiefly to shew that in what may be termed the geological formations of the human period, very curious fossils may be already deposited, awaiting the researches of the future. As we now find, in raising blocks of stone from the quarry, water-rippled surfaces lying beneath, fretted by the tracks of ancient birds and reptiles, there is a time coming when, under thick beds of stone, there may be detected fields and orchards, cottages, manor-houses, and churches—the memorials of nations that have perished, and of a condition of things and a stage of society that have for ever passed away.¹

JUNE 4. The same advantages of situation which are now thought to

¹ Hugh Miller's *Sketch-book of Popular Geology*, pp. 18, 14.

adapt Peterhead for a harbour of refuge for storm-beset vessels 1693.—placed centrally and prominently on the east coast of Scotland—rendered it very serviceable in affording shelter to vessels pursued by those French privateers which, during the present war, were continually scouring the German Ocean. Very lately, four English vessels returning from Virginia and other foreign plantations with rich commodities, would have inevitably been taken if they had not got into Peterhead harbour, and been protected there by the fortifications and the ‘resoluteness’ of the inhabitants. The spirit manifested in keeping up the defences, and maintaining a constant guard and watch at the harbour, had incensed the privateers not a little; and one Dunkirker of thirty-four guns took occasion last summer to fire twenty-two great balls at the town, nor did he depart without vowing (as afterwards reported by a Scottish prisoner on board) to return and do his endeavour to set it in a flame. The people, feeling their danger, and exhausted with expensive furnishings and watchings, now petitioned the Privy Council for a little military protection—which was readily granted.¹

As political troubles subsided in Scotland, the spirit of mercantile enterprise rose and gained strength. The native feelings of this kind were of course stimulated by the spectacle of success presented in England by the East India Company, and the active trade carried on with the colonies. These sources of profit were monopolies; but Scotland inquired, since she was an independent state, what was to hinder her to have similar sources of profit established by her own legislature. The dawns of this spirit are seen in an act passed in the Scottish parliament in 1698, wherein it is declared, ‘That merchants may enter into societies and companies for carrying on trade as to any sort of goods to whatsoever countries not being at war with their majesties, where trade is in use to be, and particularly, besides the kingdoms of Europe, to the *East and West Indies*, to the Straits and Mediterranean, or upon the coast of Africa, or elsewhere,’ and promising to such companies letters-patent for privileges and other encouragements, as well as protection in case of their being attacked or injured. Amongst a few persons favouring this spirit, was one of notable character and history—WILLIAM PATERSON—a native of Scotland, but now practising merchandise

¹ Privy Council Record.

1695. in London—a most active genius, well acquainted with distant countries, not visionary, animated, on the contrary, by sound commercial principles, yet living, unfortunately for himself, before the time when there was either intelligence or means for the successful carrying out of great mercantile adventures. Paterson, in the early part of this year, had gained for himself a historical fame by projecting and helping to establish the Bank of England. For his native country he at the same time projected what he hoped would prove a second East India Company.

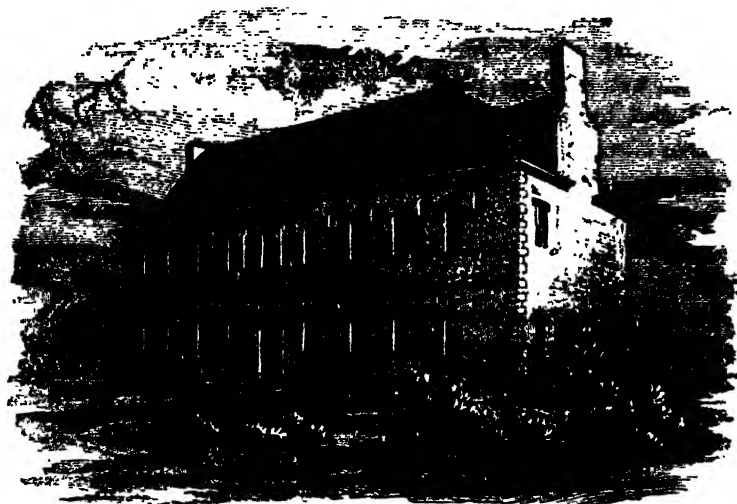
At the date noted, an act passed the Scottish parliament, forming certain persons named into an incorporation, under the name of *The Company of Scotland Trading to Africa and the Indies*, who should be enabled to ‘plant colonies, and build cities and forts, in any countries in Asia, Africa, or America, not possessed by any European sovereign,’ ‘by consent of the natives and inhabitants thereof,’ and to take all proper measures for their own protection and the advancement of their special objects, only acknowledging the supremacy of the king by the annual payment of a hogshead of tobacco. It was scrupulously arranged, however, that at least one half of the stock of this Company should be subscribed for by Scotsmen residing either at home or abroad.

Although the war pressed sorely on the resources of England, Paterson calculated securely that there was enough of spare capital and enterprise in London to cause the new Scottish trading scheme to be taken up readily there. When the books for subscription were opened in October, the whole £300,000 offered to the English merchants was at once appropriated. By this time, the fears of the East India Company and of the English mercantile class generally had been roused; it was believed that the Scottish adventurers would compete with them destructively in every place where they now enjoyed a lucrative trade. The parliament took up the cry, and voted that the noblemen and gentlemen named in the Scottish act were guilty of a high crime and misdemeanour. Irritated rather than terrified by this denunciation, these gentlemen calmly proceeded with their business in Scotland. The subscription books being opened on the 26th of February 1696, the taking up of the stock became something like a national movement. It scarcely appeared that the country was a poor one. Noblemen, country gentlemen, merchants, professional men, corporations of every kind, flocked to put down their names for various sums according to their ability, till not merely the £300,000 devoted to

Scotsmen was engaged for, but some additional capital besides.¹ 1684. In a list before me, with the sums added up, I find the total is £336,390 sterling ; but, of course, the advance of this large sum was contemplated as to be spread over a considerable space of time, the first instalment of 25 per cent. being alone payable within 1696.

Meanwhile the furious denunciations of the English parliament proved a thorough discouragement to the project in London, and nearly the whole of the stockholders there silently withdrew from it; under the same influence, the merchants of Hamburg were induced to withdraw their support and co-operation, leaving Scotland to work out her own plans by herself.

She proceeded to do so with a courage much to be admired. A handsome house for the conducting of the Company's business was



African Company's House at Bristo Port, Edinburgh.

erected ; schemes for trade with Greenland, with Archangel, with the Gold Coast, were considered ; the qualities of goods, possible

¹ A few of the subscriptions are here subjoined : For £1000 each, the Faculty of Advocates, John Anderson of Dowhill, Provost of Glasgow, the Earl of Annandale ; Alexander Brand, merchant in Edinburgh ; James Balfour, merchant in Edinburgh ; George Clerk, merchant in Edinburgh ; Daniel Campbell, merchant in Glasgow ; Sir Robert Dickson of Bornbeg, Andrew Fletcher of Salton, the town of Glasgow, John Graham younger of Douglaston, the Earl of Haddington, Lord Yester, Sir David Home of Orosrig, Sir John Home of Blackader, Sir Alexander Hope of Kerse, William Hay of Drumelzier, Sir James Hall of Dunglass, Lockhart of Carnwath, William Livingstone of Kilsyth ; George Lockhart, merchant in Glasgow ; the Merchant House of Glasgow, the Marquis of Montrose, Sir John

1664. improvements of machinery, the extent of the production of foreign wares, were all the subject of careful inquiry. Under the glow of a new national object, old grudges and antipathies were forgotten. William Paterson, indeed, had set the pattern of a non-sectarian feeling from the beginning, for, writing from London to the Lord Provost of Edinburgh in July 1695, we find him using this strain of language, hitherto unwonted in Scotland: 'Above all, it is needful for us to make no distinction of parties in this great undertaking; but of whatever nation or religion a man be, he ought to be looked upon, if one of us, to be of the same interest and inclination. We must not act apart in anything, but in a firm and united body, and distinct from all other interests whatsoever.'

The design of Paterson presents such indications of a great, an original, and a liberal mind, as to make the obscurity which rests on his history much to be regretted. The narrow, grasping, and monopolising spirit which had hitherto marked the commerce of most nations, and particularly the English and Spanish, was repudiated by this remarkable Scotsman; he proposed, on some suitable situation in Central America, to open a trade to all the world; he called on his countrymen not to try to enrich themselves by making or keeping other nations poor, but by taking the lead in a more generous system which should contemplate the good of all. He himself embarked the few thousand pounds which he possessed in the undertaking, and his whole conduct throughout its history exhibits him not merely as a man of sound judgment and reflection,* but one superior to all sordid considerations.

For the further progress of the Company, the reader must be

Maxwell of Pollock, Sir Patrick Murray of Auchtertyre, Francis Montgomery of Giffen, William Morison of Prestongrange, William Nisbet of Dirleton, Sir James Primrose of Carrington, the Countess of Rothes, the Countess of Roxburgh, Lord Ross, Lord Ruthven, William Robertson of Gladney, the Earl of Sutherland, the Earl of Southesk, Viscount Strathallan, Viscount Stair, Sir John Swinton, Sir Francis Scott of Thirlstain, Sir John Shaw of Greenock; Thomas Spence, writer in Edinburgh; John Spreul, *alias* Bass John, merchant in Glasgow; the Marquis of Tweeddale, Viscount Tarbat; Robert Watson, merchant in Edinburgh; George Warrender, merchant there; and William Wardrop, merchant in Glasgow: for £1200, the Merchant Company of Edinburgh: for £1300, James Pringle of Torwoodlee: for £1500, the Earl of Argyle, William Lord Jedburgh, and Patrick Thomson, treasurer of Glasgow: for £2000, Mr Robert Blackwood, merchant in Edinburgh; Sir Robert Chiesley, Lord Provost of Edinburgh, John Lord Glenorchy, Lord Basil Hamilton, the Earl of Hopetoun, the Earl of Leven; William Menzies, merchant in Edinburgh; the town of Perth, Sir William Scott of Harden: for £3000, Lord Belhaven, the Good Town of Edinburgh, the Duchess of Hamilton, the Duke of Queensberry, the Easter Sugarie of Glasgow, and Sir John Stuart of Grandtully.

referred onward to July 1698, when the first expedition sailed from Leith.

Further to improve the system of correspondence throughout the kingdom, the parliament passed an act for establishing a General Post-office in Edinburgh, under a postmaster-general, who was to have the exclusive privilege of receiving and despatching letters, it being only allowed that carriers should undertake that business on lines where there was no regular post, and until such should be established. The rates were fixed at 2*s.* Scots for a single letter within fifty Scottish miles, and for greater distances in proportion. It was also ordained that there should be a weekly post to Ireland, by means of a packet at Portpatrick, the expense of which was to be charged on the Scottish office. By the same law, the postmaster-general and his deputies were to have posts, and furnish post-horses along all the chief roads 'to all persons,' 'at 3*s.* Scots for ilk horse-hire for postage for every Scots mile,' including the use of furniture and a guide.¹ It would appear that, on this footing, the Post-office in Scotland was not a gainful concern, for in 1698 Sir Robert Sinclair of Stevenston had a grant of the entire revenue, with a pension of £300 sterling per annum, under the obligation to keep up the posts, and after a little while gave up the charge, as finding it disadvantageous.²

It is to be observed that this post-system for Scotland was provided with but one centre—namely, the capital. Letters coming from London for Glasgow arrived in Edinburgh in the first place, and were thence despatched westwards at such times as might be convenient. At one time, the letters were detained twelve hours in Edinburgh before being despatched to Glasgow! It seems at present scarcely credible that, until the establishment of Palmer's mail-coaches in 1788, the letters from London to Glasgow passed by this circuitous route, and not by a direct one, although the western city had by that time a population of fifty thousand, and was the seat of great commercial and manufacturing industry.

Glasgow—which in 1556 stood eleventh in the roll of the Scottish burghs, contributing but £202, while Edinburgh afforded £2650—appears, in the list now made up for a monthly cess to defray the expenses of the war, as *second*, Edinburgh giving £3880; Glasgow, £1800; Aberdeen, £726; Dundee,

¹ Scots Acts, *sub anno* 1695.

² [Sinclair's] *Statistical Account of Scotland*, vi. 586.

1222. 1660; Perth, 1660; Kirkealdy, 1688, &c. 'To account for this comparative superiority of the wealth of Glasgow at this time, I must take notice that since before the Restoration the inhabitants had been in possession of the sale of both refined and raw sugars for the greater part of Scotland; they had a privilege of distilling spirits from their molasses, free from all duty and excise; the herring-fishery was also carried on to what was, at that time, thought a considerable extent; they were the only people in Scotland who made soap; and they sent annually some hides, linen, &c., to Bristol, from whence they brought back, in return, a little tobacco—which they manufactured into snuff and otherwise—sugars, and goods of the manufacture of England, with which they supplied a considerable part of the whole kingdom.'—*Gibson's History of Glasgow*, 1777.

It is probable that the population did not then exceed twelve thousand; yet the seeds of that wonderful system of industry, which now makes Glasgow so interesting a study to every liberal onlooker, were already sown, and, even before the extension of *English mercantile privileges* to Scotland at the Union, there was a face of business about the place—a preparation of power and aptitude for what was in time to come. This cannot be better illustrated than by a few entries in the Privy Council Record regarding the fresh industrial enterprises which were from time to time arising in the west.

December 21, 1699.—A copartnery, consisting of William Cochran of Ochiltree, John Alexander of Blackhouse, and Mr William Dunlop, Principal of the University of Glasgow, with Andrew Cathcart, James Colquhoun, Matthew Aitchison, Lawrence Dunwoodies, William Baxter, Robert Alexander, and Mungo Cochran, merchants of Glasgow, was prepared to set up a woollen manufactory there, designing to make 'woollen stuffs of all sorts, such as damasks, half-silks, draughts, friezes, drogats, tartains, craips, capitations, russets, and all other stuffs for men and women's apparel, either for summer or winter.' Using the native wool, they expected to furnish goods equal to any imported, and 'at as easie a rate;' for which end they are 'providing the ablest workmen, airtiests, from our neighbouring nations.' They anticipated that by such means 'a vast soun of ready money will be kept within the kingdom, which these years past has been exported, it being weel known that above ten thousand pound sterling in specie hath been exported from the southern and western parts of this kingdom to Ireland yearly for

such stuff, and yearly entered in the custom-house books, besides 1000 what has been stolen in without entering.'

In the same year, John Adam, John Bryson, John Alexander, and Harry Smith, English traders, had brought home to Glasgow 'English workmen skilled to work all hardware, such as pins, needles, scissors, soyties, tobacco-boxes, and English knives, for which a great quantity of money was yearly exported out of the kingdom.' They designed so far to save this sending out of money by setting up a hardware-manufactory in Glasgow. On their petition, the Privy Council extended to their designed work the privileges and immunities provided by statute for manufactories set up in Scotland.

In the ensuing year, William Marshall, William Gray, John Kirkmyre, and William Donaldson, merchants in Glasgow, projected the setting up of a work there for making of 'pins and needles,' boxes, shears, syshes, knives, and other hardware,' whereby they expected to keep much money within the country, and give employment to 'many poor and young boys, who are and have been in these hard and dear times a burden to the kingdom.' To them likewise, on petition, were extended the privileges of a manufactory.

February, 1701.—Matthew and Daniel Campbell, merchants in Glasgow, designed to set up an additional sugar-work, and, in connection with it, a work 'for distilling brandy and other spirits from all manner of grain of the growth of this kingdom.' With this view, they had 'conduced and engaged several foreigners and other persons eminently skilled in making of sugar and distilling of brandy, &c., whom, with great travel, charges, and expense, they had prevailed with to come to Glasgow.' All this was in order that 'the nation may be the more plentifully and easily provided with the said commodities, as good as any that have been in use to be imported from abroad,' and because 'the distillery will both be profitable for consumption of the product of the kingdom, and for trade for the coast of Guinea and America, seeing that no trade can be managed to the places foresaid, or the East Indies, without great quantities of the foresaid liquors.'

¹ In April 1703, John Dunbabbine, an Englishman, who in his own country had for several years followed the trade of pin-making 'to the satisfaction of all those with whom he had any dealing,' was now inclined to set up a work at Aberdeen, which he thought would be 'very much for the advantage of the kingdom [of Scotland] and all the inhabitants thereof.' All he required previously was his work being endowed with the privileges and immunities of a manufactory; which the Privy Council readily granted.

144. On their petition, the privileges of a manufactory were granted to them.

In the progress of manufacturing enterprise in the west, an additional soap-work connected with a glass-work came to be thought of (February 1701). James Montgomery, younger, merchant in Glasgow, took into consideration 'how that city and all the country in its neighbourhood, and further west, is furnished with glass bottles.' The products of the works at Leith and Morison's Haven 'cannot be transported but with a vast charge and great hazard.' He found, moreover, 'ferns, a most useful material for that work, to be very plenty in that country.' There was also, in the West Highlands, great abundance of wood-ashes, 'which serve for little or no other use, and may be manufactured first into good white soap, which is nowhere made in the kingdom to perfection; and the remains of these wood-ashes, after the soap is made, is a most excellent material for making glass.' He had, therefore, 'since March last, been with great application and vast charge seeking out the best workmen in England,' and making all other needful preparations for setting up such a work.

On his petition, the Council endowed his work with the privileges of a manufactory, 'so as the petitioner and his partners may make soap and glass of all kinds not secluded by the Laird of Prestongrange and his act of parliament.'¹

JULY 7. The Bank of England, projected by the noted William Paterson, amidst and by favour of the difficulties of the public exchequer during King William's expensive continental wars, may be said to have commenced its actual banking operations on the first day of this year. Considerable attention was drawn to the subject in London, and the establishment of a similar public bank in both Ireland and Scotland became matter of speculation. There was in London an almost retired merchant named John Holland, who thought hereafter of spending his time chiefly in rural retirement. To him came one day a friend, a native of Scotland, who was inspired with a strong desire to see a bank established in his country. He desired that Mr Holland would think of it. 'Why,' said the latter, 'I have nearly withdrawn from all such projects, and think only of how I may spend the remainder of my days in peace.' 'Think of it,' said his Scottish friend, 'and if you will

¹ Privy Council Record.

enter into the scheme, I can assure you of having an act of our parliament for it on your own conditions.'

Mr Holland accordingly drew out a sketch of a plan for a bank in Scotland, which his friend, in a very few days thereafter, had transfused into a parliamentary bill of the Scottish form. He had also spoken, he said, to most of his countrymen of any mercantile importance in London to engage their favour for the scheme. Mr Holland was readily induced to lend his aid in further operations, and the project appears to have quickly come to a bearing, for, little more than six months from the opening of the Bank of England, the act for the Bank of Scotland had passed the native parliament.

In our country, as in England, exchanges and other monetary transactions, such as are now left to banking companies, had hitherto been solely in the hands of a few leading merchants; some such place as the back-shop of a draper in the High Street of Edinburgh, or an obscure counting-room in the Saltmarket of Glasgow, was all that we could shew as a bank before this period; and the business transacted, being proportioned to the narrow resources and puny industry of the country, was upon a scale miserably small. Yet there was now, as we have seen, an expansive tendency in Scotland, and the time seems to have arrived when at least a central establishment for the entire country might properly be tried in the capital.

While, unluckily, we do not know the name of the Scottish gentleman who propounded the scheme to Mr Holland, we are enabled, by the recital of the act, to ascertain who were the first patrons and nurses of the project generally. Of merchants in London; besides the English name of Mr Holland, we find those of Mr James Foulis,¹ Mr David Nairn, Mr Walter Stuart, Mr Hugh Frazer, Mr Thomas Coutts, and Mr Thomas Deans, who were all of them probably Scotsmen. Of Edinburgh merchants, there were Mr William Erskine, Sir John Swinton, Sir Robert Dickson, Mr George Clark, junior, and Mr John Watson. Glasgow was wholly unrepresented. These individuals were empowered by the act to receive subscriptions between the ensuing 1st of November and 1st of January. The whole scheme was modest, frugal, and prudential in a high degree.

¹ Mr James Foulis and Mr John Holland are probably identical with the persons of the same names who received some encouragement from the parliament in April 1693, for the setting up of a manufacture of *Colchester Baises* in Scotland. See *Domestic Annals*, under that date.

1793. It was contemplated that the Bank of Scotland should start with a subscribed capital of £1,200,000 Scots—that is, £100,000 sterling, in shares of £1000 Scots each; two-thirds to be subscribed by individuals residing in Scotland, and one-third by individuals residing in England, no person to hold more than two shares. The company was to be under the rule of a governor, deputy-governor, and twenty-four directors, of the last of whom twelve should be English, these being ‘thought better acquainted with the nature and management of a bank than those of Scotland.’ As a further encouragement to English assistance, the act ordained that any person subscribing for a part of the stock, should be considered as *ipso facto* naturalised.

The subscription of the £66,666, 13s. 4d. allowed to Scotland began at the appointed time, the Marquis of Tweeddale, his majesty’s commissioner to parliament, and his son, Lord Yester, being the first who put down their names. The subscription of the remaining £33,333, 6s. 8d. was effected in London in one day, the chief adventurers being Scotsmen resident there. The heads of the concern in Edinburgh felt themselves sadly ignorant of the arrangements required for a public bank, and deemed it absolutely necessary that Mr Holland should come down to advise and superintend their proceedings. He very generously agreed to do so, reside for some time in Edinburgh, and return upon his own charges; while they, as liberally, took care, by a rich present to his wife, that he should be no loser by the journey. He relates¹ that his proposals were all at first objected to and controverted by the Scotch managers, in consequence of their utter ignorance of banking, yet all in perfect good-humour, and manifestly from a pure desire to get at the expedients which were best; and all were ultimately agreed to. This occasioned a difficulty at starting, and to this was added no small amount of jealous opposition and distrust; nevertheless, Mr Holland remarks that, within two months, and even while the Bank of England was notoriously unable to pay its bills, those of the Scottish establishment had attained to a surprising degree of credit. It may here be remarked, that, ere long, by consent of the English proprietors, the whole twenty-four directors were elected from the Scottish shareholders, leaving thirteen English ones to act as trustees, ‘to manage what affairs the company

¹ See a pamphlet by Mr Holland, published in 1715, under the title of *The Ruine of the Bank of England and all Publick Credit inevitable.*

should have at London;' and in time, when there were no longer so many as thirteen proprietors in England, even this arrangement was abandoned.

Several of the prominent Scottish shareholders were members of the African Company; but it appears that there was anything but a concert or good agreement between the two sets of projectors. Paterson regarded the Bank of Scotland as in some degree a rival to his scheme, and talked of the act appointing it as having been 'surreptitiously gained.' While so sanguine about the African Company, he thought the bank unlikely to prove a good thing to those concerned in it, little foreseeing that it would flourish for centuries after the Indian Company had sunk in its first calamitous venture.

The Bank of Scotland set up in a floor in the Parliament Close, with a moderate band of officials, and *ten thousand pounds sterling of paid-up capital*. It had scarcely started, when the African Company added a banking business to its other concerns, meaning thus to overpower the project of Mr Holland. That gentleman was in Edinburgh at the time. He saw that the African Company was in the highest vogue with the public, while few took any notice of his modest establishment. As governor, he prudently counselled that they should make no attempt to enforce the exclusive privilege which the statute had conferred upon them for twenty-one years, but to limit themselves to standing on their guard against 'that mighty Company,' lest it should try to injure or 'affront' them by a run upon their cash. For this reason, by his advice, twenty thousand pounds of the capital was called up, in addition to the ten thousand lodged at first. The smallness of these sums is amusing to men who know what banking in Scotland now is; yet it appears that from the first the Bank of Scotland had five, ten, twenty, fifty, and hundred pound notes. After a little while, it was found that banking did not succeed with the African Company, chiefly because they lent money in too large sums to their own shareholders, and the Bank of Scotland was then allowed to go on without any competition. The capital lately called up was then paid back, leaving the original sum of £10,000 alone in the hands of the bank.

The chief business of the bank at first was the lending of money on heritable bonds and other securities. The giving of bills of exchange—the great business of the private bankers—was, after deliberation at a general meeting of the 'adventurers,' tried, with a view to extending the usefulness of the concern as far as

1822. possible. In pursuance of the same object, and 'for carrying the circulation of their notes through the greatest part of the kingdom,' branch-offices were erected at Glasgow, Dundee, Montrose, and Aberdeen, 'with cashiers and overseers at each place, for receiving and paying money, in the form of inland exchange, by notes and bills made for that purpose.' But, after what appeared a fair trial, the directors 'found that *the exchange trade was not proper for a banking company.*' A bank they conceived to be 'chiefly designed as a common repository of the nation's cash—a ready fund for affording credit and loans, and for making receipts and payments of money easy by the company's notes.' To deal in exchange was 'to interfere with the trade and business of private merchants.' The Bank of Scotland found it 'very troublesome, unsafe, and improper.' One reason cited some years afterwards, by a person connected with the bank, was—'There is so much to be done in that business without doors, at all hours by day and night, with such variety of circumstances and conditions, as are inconsistent with the precise hours of a public office, and the rules and regulations of a well-governed company; and no company like the bank can be managed without fixing stated office-hours for business, and establishing rules and regulations which will never answer the management of the exchange trade.' As for the branch-offices, the inland exchange contemplated there failed from another cause, strikingly significant of the small amount of commercial intercourse then existing between the capital and the provinces of Scotland. The bank, we are told, found it impracticable to support the four sub-offices 'but at an expense far exceeding the advantage and convenience rising therefrom; for, though the company would willingly have been at some moderate charge to keep them up, if they could thereby have effectuated an answerable circulation of bank-notes about these places, for accommodating the lieges in their affairs, yet they found that those offices did contribute to neither of those ends; for the money that was once lodged at any of those places by the cashiers issuing bills payable at Edinburgh, *could not be redrawn thence by bills from Edinburgh*'—of course, because of there being so little owing in Edinburgh to persons residing in the provinces. So, after a considerable outlay in trying the branch-offices, the directors were obliged to give them up, and 'bring back their money to Edinburgh by horse-carriage.'

¹ Exchange was not dealt in by the Bank of England, any more than the Bank of Scotland, during many of its earlier years.

The company's business was thenceforward for many years 'wholly restricted to lending money, which seems to be the only proper business of a bank, and all to be transacted at Edinburgh.'

The estates of Duncan Forbes of Culloden, in sundry parishes near Inverness, having been much wasted in 1689 and 1690, both by the ravages of the king's enemies and the necessary sustentation of his troops, he now gave in a petition shewing that his damages had in all amounted to the sum of £47,400, 6s. 8d. Scots. The parliament recommended his case to the gracious consideration of his majesty,¹ and the result was a requital, not in money, but in the form of a perpetual privilege to the Laird of Culloden of distilling from the grain raised on his estate of Ferintosh, upon paying of only a small composition in lieu of excise. JULY 17.

The estate of Ferintosh consisted of about eighteen hundred arable acres,² and the produce of barley was so considerable that a very large quantity of whisky came to be produced within its bounds; Hugo Arnot says nearly as much as in all the rest of Scotland together—but Hugo, it must be admitted, is a remarkably unstatistical author. Whatever might be the exact truth, there was certainly a surprising quantity of usquebaugh issued forth from the domains of Forbes, insomuch that *Ferintosh* came to be that *quasi* synonym for whisky which 'Kilbagie' and 'Glenlivet' afterwards were in succession. The privilege of course yielded a large revenue to the family, and in time made ample compensation for all their patriotic sufferings past and potential. In 1784, when at length the government was inclined to purchase it back, there was such a demonstration made of its lucrativeness, that the capital sum of £21,500 assigned for it was thought to be but a poor equivalent.

The minister of Dingwall, in his account of the parish, written a few years after the abolition of the Ferintosh privilege, tells of a remarkable consequence of that measure. During the continuance of the privilege, quarrels and breaches of the peace were abundant among the inhabitants, yielding a good harvest of business to the procurators (i. e. solicitors) of Dingwall. When the privilege ceased, the people became more peaceable, and the prosperity of attorneyism in Dingwall sustained a marked abatement.

¹ *Account of the Bank of Scotland*, published in 1728.

² *Acts of Scottish Parliament*, ix. 465.

³ *Culloden Papers*, Introduction, p. xlv.

1695.
MAY 18.

It was not so *subscribing* a world at the close of the seventeenth century as it is now ; yet, poor as our country then was, she kept her heart open for important public objects, and for works in which faith and charity were concerned.

There was no bridge over the Clyde between Bothwell Bridge and Little-gill Bridge, a space of eighteen miles. At Lanark, there was a ferry-boat ; but the river was frequently impassable, and there were repeated instances of the whole passengers being swept down and engulfed in the Stonebyres Linn. Arrangements were now made, chiefly by a collection at all the church-doors in the kingdom, for building 'a sufficient stone bridge' at the foot of the Inch of Clydeholm—this charitable measure being rendered necessary by the poverty to which the burgh of Lanark had been reduced by spoliation during the late reign, 'by exactions of fines, free quarters for soldiers, and the like.'

By order of parliament, a collection of money was made, in July 1695, in the parish churches of the kingdom, for the benefit of Andrew Watson, skipper, and eight mariners of his vessel, who, in a voyage from Port Glasgow to Madeira, on the 19th of November in the preceding year, in latitude 38 degrees, had been attacked by two Salee rovers, and by them carried as captives to Mamora, in Marocco. In their petition to parliament, they described themselves as resting in a slavery more cruel and barbarous than they could express, without the proper necessities of life, and 'above all, deprived of the precious gospel, which they too much slighted when they enjoyed it,' with no prospect before them but to die in misery and torment, unless they have some speedy relief. The contributions were to be handed to John Spreul, merchant in Glasgow, he finding caution to apply them to their proper end.

1697.
APR. 15.

'Those of the Scots nation residing at Konigsberg, in Prussia,' petitioned the Privy Council by their deputy, Mr Francis Hay, for assistance in building a kirk for their use, for which they had obtained a liberty from the Duke of Brandenburg. A collection at all the church-doors in the kingdom was ordained for this purpose ; and it is surprising with what sympathy the poor commons of Scotland would enter on a movement of this kind. We find that the little parish of Spott, in East Lothian, contributed nearly three pounds sterling towards the Konigsberg kirk.

At the 'break of a storm'—by which is meant the melting of a great fall of snow—in November 1698, the southern streams were flooded, and the bridge of Ancrum was so broken and damaged that it could be no longer serviceable. This being the only bridge

upon the water of Teviot, on an important line of communication ^{1692.} between the north and south in the centre of the Borders, and there being no ferry-boat on the river but one seven miles further up, it was most desirable that it should be rebuilt; but the calculated expense was betwixt eight and nine thousand merks (from £450 to £500 sterling), and an act of Council offering a pontage to any one who would undertake this business altogether failed of its object. In these circumstances, the only alternative was a collection at all the church-doors in the kingdom, and permission to make such a levy was accordingly granted by the Privy Council.

The vicissitudes of witchcraft jurisprudence in Scotland are remarkable. While Presbyterianism of the puritanic type reigned uncontrolled between 1640 and 1651, witches were tortured to confession and savagely burnt, in vast numbers, the clergy not merely concurring, but taking a lead in the proceedings. During the Cromwell ascendancy, English squeamishness greatly impeded justice in this department, to the no small dissatisfaction of the more zealous. On the Restoration, the liberated energies of the native powers fell furiously on, and got the land in a year or two pretty well cleared of those vexatious old women who had been allowed to accumulate during the past decade. From 1662 to the Revolution, prosecutions for witchcraft were comparatively rare, and, however cruel the government might be towards its own opponents, it must be acknowledged to have introduced and acted consistently upon rules to some extent enlightened and humane with regard to witches—namely, that there should be no torture to extort confession, and no conviction without fair probation. I am not sure if the opposite party would not have ascribed it mainly to the latitudinarianism of Episcopacy, that the whole history of witchcraft, throughout the two last Stuart reigns, betrayed an appearance as if the authorities were not themselves clear for such prosecutions, and, in dictating them, only made a concession to the popular demands. ^{1695. Aug.}

For a few years after the Revolution, the subject rested in the quiescence which had fallen upon it some years before. But at length the General Assembly began to see how necessary it was to look after witches and charmers, and some salutary admonitions about these offenders were from time to time issued. The office of Lord Advocate, or public prosecutor, had now fallen into the hands of Sir James Steuart of Goodtrees, a person who shared in the highest convictions of the religious party at present in power,

1695. including reverence for the plain meaning of the text, 'Thou shalt not suffer a witch to live.' The consequence was, that the reign of William III. became a new Witch Period in Scotland, and one involving many notable cases.

1700. 8. In August 1695, two married women, named M'Rorie and M'Quicken, residing respectively at the Mill-burn and Castlehill of Inverness, were in the Tolbooth of that northern burgh, under a suspicion of being witches; and the Privy Council, seeing the inconvenience of having them brought to an inquest in Edinburgh, issued a commission for their being tried on the spot by David Polson of Kinmilnes, sheriff-depute of Inverness; William Baillie, commissar there; Alexander Chisholm, bailie to Lord Lovat; Duncan Forbes of Culloden; — Cuthbert of Castlehill; and — Duff, provost of Inverness, any three of them to be a quorum. The arrangements for the trial were all carefully specified in this commission; and it was intimated in the end that, 'in case the said judges shall find the said panels guilty of the said horrid crime laid to their charge,' the commissioners should adjudge them 'to be burned or otherwise execute to death.'

In March 1696, a commission was issued in similar terms for the trial of 'Janet Widdrow, in the parish of Kilmacolm, presently prisoner in the Tolbooth of Paisley, alleged guilty of the horrid crime of witchcraft.' Two months later, the Lord Advocate applied to the Council for an extension of power to the commission against Janet Widdrow, as 'it is now informed that the said Janet doth fyle and put out several others, and as there are some persons in these bounds against whom there are probable and pregnant grounds of suspicion.' The request was complied with.

Some months later (December 3, 1696), we hear of some informalities in the process against Janet Widdrow and Isobel Cochrane, and the Lord Advocate was requested to report on the matter.¹

So much for the present; but let the reader see onward under February 1697, March 1, 1698, &c.

Aug. It is remarked by a Presbyterian historian of the popular class, that the time of the 'Persecution' was one of general abundance. God, he believed, did not choose to let his people suffer in more ways than one. But, not long after King William had brought days of religious security, the seasons began to be bad, and much physical suffering ensued. According to this historian, Alexander

¹ Privy Council Record.

Peden foretold how it would be. 'As long,' said he, 'as the lads ^{1695.} are upon the hills, you will have bannocks o'er night; but if once you were beneath the bield of the brae, you will have clean teeth and many a black and pale face in Scotland.'¹

Nevertheless, the country was so much at its ease in the matter of food in July 1695, that the Estates then passed an act for encouraging the export of grain, allowing it to go out duty free, and ordaining that so it should be whenever wheat was at or under twelve pounds (Scots) the boll; bear, barley, and malt under eight; pease and oats, under six; provided these grains should be carried in Scottish ships.

By an act passed in 1672, it was forbidden to import meal from Ireland while the price in Scotland remained below a certain rate. And that this was a serious matter, is proved by an order of Council in April 1695, for *staving* the grain brought from Carrickfergus in two vessels, named the *James* and the *Isobel*, and for handing over the vessels themselves to Sir Duncan Campbell of Auchinbreck, who had seized them on their way to a Scottish port. It never occurred to a legislator of those days that there was a kind of absurdity, as well as a glaring selfishness, in arranging for his own country receiving while it should not give.

As if to rebuke such policy, the very month after good food prospects had induced the Scottish Estates to permit of exportation, the crop was stricken in one night by an easterly fog, and 'got little more good of the ground.'² The corn was both bad and dear. So early as November, this produced a disorder of the cholera type, accompanied by severe fevers: 'all our old physicians had never seen the like, and could make no help.' It was not in all cases the direct result of bad unwholesome victual, for several, who used old corn, or sent to Glasgow for Irish meal, were nevertheless smitten with the prevailing malady, 'in a more violent and infectious manner than the poorest in the land.'³

The price of victual having, in the western shires, ascended beyond the importation rate fixed in 1672, the Privy Council (December 13), 'in consideration of the present scarcity in those parts, and the distress ensuing upon it,' gave allowance for the importation of meal, 'but of no other grain,' from Ireland, to 'any port between the mouth of Annan and the head of Kintyre,' between this date and the 1st of February exclusive.

¹ Patrick Walker's *Life of Donald Cargill*, *Biog. Pres.*, ii. 24.

² Patrick Walker.

³ *Ibid.*

1666. A few days later, the Council took measures for fining certain baxters of Glasgow and others who had imported grain before the issue of the above licence.

On the 7th of February 1696, the Council extended the period during which Irish meal might be imported to the 15th of April, seeing that the price of the article in the western shires still continued above that set down in the act of 1672. On the 25th of February, the period was further extended to the 15th of May.

1696.
Aug. In June, the evil having become more serious, the whole ports of the kingdom were opened to foreign grain, while the usual denunciations were launched against persons keeping up victual in girnels and stacks. Now the summer was passing into autumn, and the weather was of such a character, or, as the Privy Council expressed it, the season was so 'unnatural,' 'as doth sadly threaten the misgiving and blasting of the present crop, to the increase of that distress whereby the kingdom is already afflicted.' For these reasons, at the request of the church, a fast was proclaimed for the 25th of August in churches south of the Tay, and on the 8th of September in 'all the planted churches of the rest of this kingdom.'

Viewing the 'pinching straits and wants' of the poor at this crisis, and the demands which these make upon Christian charity and compassion, the Council recommended that on the day of the fast, and the Lord's Day thereafter, there should be a 'cheerful and liberal contribution' at the church-doors for the indigent, 'as the best and most answerable expression of earnestness in the aforesaid duty.' Another edict held out a bounty of one pound Scots for every boll of foreign victual imported.¹

Some Englishmen having brought a parcel of corn to the market of Kelso, William Kerr of Chatto's servants exacted from them a custom he had a right to from all victual there sold—this right being one of which his family had been 'in immemorial possession.' The Englishmen resisted the exaction with scorn and violence, and Chatto was obliged to appeal for protection of his right to the Privy Council. Such, however, was at that time the need for foreign grain, that the Council suspended Chatto's right for the next three months.

JULY 30. Some gentlemen in Edinburgh received information from their correspondents in Aberdeenshire, that that county and the one next adjacent were nearly destitute of victual, and that 'if they be

¹ Privy Council Record.

not speedily supplied, and victual transported [thither], a good ^{1694.} part of that and the next county will undoubtedly starve.' Already, within the last fortnight, several had died from want. In these circumstances, George Fergusson, bailie of Old Meldrum, and Alexander Smith, writer in Edinburgh, proposed to purchase a thousand or twelve hundred bolls of corn and bear in the north of England, and have it carried by sea to Aberdeen, there to sell it at any rate the proper authorities might appoint above the cost and the expense of carriage, and the surplus to be used for any suitable public object, the proposers having no desire of profit for themselves, 'but allenarly the keeping of the poor in the said shire from starving.' They were anxious, however, to be protected from the risk of losing their outlay, in case the vessel should be taken by the French privateers, and they petitioned the Privy Council accordingly. Their wishes were recommended to the consideration of the Lords of the Treasury.

It was reported from Roxburghshire, on the 22d December 1696, that, in consequence of the 'great frosts, excessive rains, and storms of snow,' the corns in many places 'are neither cut down nor led in, nor is the samen ripened nor fit for any use, albeit it were cut down and led in.' The boll of meal was already at twenty-four pounds Scots, and bear, wheat, and rye at fourteen or fifteen pounds per boll. Already many poor people and honest householders were 'reduced to pinching straits and want,' and still more extreme scarcity was to be expected.

In these circumstances, the Lords of the Privy Council granted permission to Thomas Porteous, late provost, and Robert Ainslie, late bailie in Jedburgh, to import victual from England without duty, *overland*. If any of the said victual should be imported by sea, it would be confiscated for the use of the poor, 'unless it can be made appear that the victual imported by sea was bought and paid for by the product of this kingdom, and not by transporting money out of the kingdom for the same.'¹

The Feast of St Cecilia was celebrated in Edinburgh with a ^{1696.} concert of vocal and instrumental music, shewing a more advanced ^{Nov. 22.} state of the art than might have been expected.² The scheme of the performances exhibits a series of pieces by Italian masters, as

¹ Privy Council Record.

² We have no means of knowing if this concert was connected with the enterprise of Beck and his associates, noticed under January 10, 1694. The name of Beck does not occur in the list of performers on this occasion.

1694. Corelli and Bassani, to be executed by first and second violins, flutes and hautbois, and basses; the opening piece giving seven first violins, five second violins, six flutes and two hautbois. There were thirty performers in all, nineteen of them gentlemen-amateurs, and eleven teachers of music. Among the former were Lord Colville, Sir John Pringle, Mr Seton of Pitmedden, Mr Falconer of Phesdo, Mr John (afterwards General) Middleton, Lord Elcho, and Mr John Corse, keeper of the Low Parliament House Records. Some of these gentlemen are described as having been skilled in music, and good players on the violin, harpsichord, flute, and hautbois. Among the professional men were Henry Crumbden, a German, 'long the Orpheus in the music-school of Edinburgh;' Matthew M'Gibbon, father of William M'Gibbon, noted for his sets of Scots airs with variations and basses; Adam Craig, a good orchestra-player on the violin; Daniel Thomson, one of the king's trumpets; and William Thomson, a boy, son of the above, afterwards editor of a well-known collection (being the first) of Scots songs, with the music.¹

See under 1718 for further notices of the rise and progress of music in Scotland.

- Nov. In this age, every person of any note who died became the subject of a metrical elegy, which was printed on a broadside, and cried through the streets. Allan Ramsay, a few years later, makes satiric allusion to the practice:

None of all the rhyming herd
Are more encouraged and revered,
By heavy souls to theirs allied,
Than such who tell who lately died.
No sooner is the spirit flown
From its clay cage to lands unknown,
Than some rash hackney gets his name,
And through the town laments the same.
An honest burgess cannot die,
But they must weep in elegy:
Even when the virtuous soul is soaring
Through middle air, he hears it roaring.²

The poetry of these mortuary verses is usually as bad as the typography, and that is saying a great deal; yet now and then

¹ W. Tytler, *Trans. Soc. of Antiq. of Scotland*, i. 506.

² Ramsay's *Scribblers Lashed*.

one falls in with a quaint couplet or two—as, for example, in the 1694. piece :

ON THE MUCH TO BE LAMENTED DEATH OF WORTHY UMPHREY MILNE, WATCH-MAKER, BURGESS OF THE METROPOLITAN CITY OF SCOTLAND, WHO DEPARTED THIS LIFE, NOVEMBER THE 18TH, 1695.

In gloomy shades of darksome night, where Phœbus hides his head,
I heard an echo cry aloud, that Umphrey Milne was dead.
My stupid senses rose aloft and wakened with a cry,
Let Pegasus, the Muses' horse, go through the air and fly,
To tell the ends of all the earth that he has lost his breath—

I will not name his parentage, his breeding, nor his birth;
But he that runs may read his life—he was a man of worth.
He valued not this earth below, although he had it *satis*,
He loved to lay his stock above, and now he is *beatius*.

Since none can well describe his worth that in this land doth dwell,
He'll waken at the trumpet's blow, and answer for himself.

The street elegists got a capital subject in July 1700, when Lady Elcho died in youth and beauty, in consequence of her clothes catching fire.¹ Of her it is said :

Were it the custom now to canonise,
We might her in the Alb of Saints comprise.
She either was as free from faults as they,
Or had she faults, the flame purged these away.

As to her ladyship's surviving husband :

Only well-grounded hopes of her blest state
Can his excessive agonies abate,
And the two hopeful boys she left behind,
May mitigate the sorrows of his mind.

The dies and punches required for the new coinage now about Dec. 12. to be issued, were the work of James Clarke, being the first time the work had ever been executed within the kingdom. James had done the whole business in less than a year, 'which used to take no less than two or three years when executed in England, and cost the general and master of the Mint great attendance and much expenses;' but as yet 'he had not received one farthing for his work,' although it had been agreed that he should have a half of his charges beforehand. The Privy Council, on his petition,

¹ Through her, as daughter of William first Duke of Queensberry, her descendant, the Earl of Wemyss, succeeded in 1810 to large estates in Peeblesshire and the earldom of March.

1685. *recommended* the Treasury to pay him two hundred pounds sterling, being the sum agreed upon.¹

Dec. In Scotland, justice had at this time, as heretofore, a geographical character. It did not answer for a Highlander to be tried too near the lands of his feudal enemies. If, on the other hand, he was to be tried in Edinburgh, his accusers were likely to find the distance inconveniently great, and prefer letting him go free.

James Macpherson of Invernahaven was under citation to appear before the Lords of Justiciary at Inverness, on a charge of having despoiled John Grant of Conyngass of certain oxen, sheep, and other goods in June or July 1689, 'when Dundee was in the hills.' The Laird of Grant being sheriff of Inverness, and other Grants engaged in the intended trial, Macpherson, though protesting his entire innocence, professed to have no hope of 'impartial justice;' yet he appeared at the citation, and was immediately committed close prisoner to the Tolbooth of Inverness, where he was denied the use of pen and ink, and the access of his friends, so that he 'expected nothing but a summary execution.'

On his petition, the Privy Council ordained (December 10) that he should be liberated under caution, and allowed to undergo a trial before the Court of Justiciary in Edinburgh. He accordingly presented himself before the Lords on the last day of the year, and was committed to the Tolbooth of Edinburgh. On the 28th of January, he petitioned for entire liberation, as Grant of Conyngass failed to appear to urge the prosecution; and, with the concurrence of the Laird of Grant, a member of the Privy Council, this petition was complied with.²

Not content with the proper Physic Garden assigned to him at the end of the North Loch,³ James Sutherland had, in February last, extended his operations to 'the north yard of the Abbey where the great Dial stands, and which is near to the Tennis Court.' Under encouragement from the Lords of the Treasury, he had been active in levelling and dressing the ground. He 'had there this summer a good crop of melons;' he had 'raised many other curious annuals, fine flowers, and other plants not ordinary in this country.' He entertained no doubt of being

¹ Privy Council Record.

² Privy Council Record.

³ See under Feb. 2, 1698.

able in a few years 'to have things in as good order as they are ^{1695.} about London,' if supplied with such moderate means as were required to defray charges and make the needful improvements, 'particularly reed-hedges to divide, shelter, and lay the ground *lown* and warm, and a greenhouse and a store to preserve oranges, lemons, myrtles, with other tender greens, and fine exotic plants in winter.'

Fifty pounds sterling had been assigned to Sutherland out of the vacant stipends of Tarbat and Fearn in Ross-shire; but of this only about a half had been forthcoming, and he had expended of his own funds upwards of a thousand pounds Scots (£88, 13s. 4d. sterling). He entreated the Lords of the Privy Council to grant reimbursement and further encouragement, 'without which the work must cease, and the petitioner suffer in reputation and interest, what he is doing being more for the honour of the nation, the ornament and use of his majesty's palace, than his own private behoof.'

The Council recommended the matter to the Lords of the Treasury.¹

Margaret Balfour, Lady Rollo, had brought her husband relief ^{1696.} from a burden of forty thousand merks resting on his estate, being a debt owing to her father; and without this relief he could not have enjoyed the family property. She had, according to her own account, endeavoured to live with him as a dutiful and loving wife, and they had children grown up; yet he had been led into a base course of life with a female named Isobel Kininmont, and in October last he had deserted his family, and gone abroad. The lady now petitioned the Privy Council for aliment to herself and her six children. The estate, she said, being eight thousand merks per annum (£444, 8s. 10d.3), she conceived that four thousand was the least that could be modified for her behalf, along with the mansion of Duncrub, which had been assigned to her as her jointure-house. ^{JAN. 14.}

The Lords of the Council ordained that Lord Rollo should be cited for a particular day, and that for the time past, and till that day, the tenants should pay her ladyship a thousand pounds Scots, she meanwhile enjoying the use of Duncrub House. Lord Rollo, failing to appear on the day cited, was declared rebel, and the lady's petition was at the same time complied with in its whole extent.²

¹ Privy Council Record.

² Ibid.

1688.
JAN. William Murray, tavern-keeper in the Canongate, was again a prisoner on account of an offensive news-letter. He had suffered close imprisonment for twenty-one weeks, till 'his health is so far decayed, that, if he were any longer where he is, the recovery thereof will be absolutely desperate.' His house having been shut up by the magistrates, his liquors and furniture were spoiled, and 'his poor wife and family exposed to the greatest extremity and hazard of being starved for cold and hunger in this season of the year.' He represented to the Privy Council that he was willing to be tried for any crime that could be laid to his charge. 'Ane Englishman's directing,' however, 'of ane news-letter to him was neither a crime nor any fault of his. . . . In case there was anything unwarrantable in the letter, the postmaster was obliged in duty to have suppressed the same, after he had read and perused it.' His having, on the contrary, delivered it, 'after he had read and perused it,' was 'sufficient to put him in *bond fide* to believe that the letter might thereafter be made patent.'

Murray went on to say that 'this summar usage of himself and his poor family, being far above the greatest severity that ever was inflicted by their Lordships or any sovereign court of the nation, must be conceived to be illegal, arbitrary, and unwarrantable, and contrair both to the claim of right and established laws and inviolable practice of the nation.'

The Council did so far grant grace to Murray as to order him out of jail, but to be banished from Lothian, with certification that, if found in those bounds after ten days, he should be taken off to the plantations.¹

JAN. 16. The imbecile Laird of Drum was recently dead, and the lady who had intruded herself into the position of his wife—Marjory Forbes by name—professed a strong conviction that she would ere long become the mother of an heir to the estate. For this consummation, however, it was necessary that she should have fair-play, and this she was not likely to get. Alexander Irvine of Murtle, heir of tailzie to the estate in default of issue of the late laird, had equally strong convictions regarding the hopes which Lady Drum asserted herself to entertain. He deemed himself entitled to take immediate possession of the castle, while Marjory, on her part, was resolved to remain there till her

¹ Privy Council Record.

expected accouchement. Here arose a fine case of contending views regarding a goodly succession, worthy to be worked out in the best style of the country and the time.

Marjory duly applied to the Privy Council with a representation of her circumstances, and of the savage dealings of Murtle. When her condition and hopes were first spoken of some months ago, 'Alexander Irvine, pretended heir of tailzie to the estate of Drum'—so she designated him—'used all methods in his power to occasion her abortion, particularly by such representations to the Privy Council as no woman of spirit, in her condition, could safely bear.' When her husband died, and while his corpse lay in the house, Murtle 'convocat a band of armed men to the number of twenty or thirty, with swords, guns, spears, fore-hammers, axes, and others, and under silence of night did barbarously assault the house of Drum, scaled the walls, broke up the gates and doors, teared off the locks, and so far possessed themselves of all the rooms, that the lady is confined in a most miserable condition in a remote, obscure, narrow corner, and no access allowed to her but at an indecent and most inconvenient back-entry, not only in hazard of abortion, but under fear of being murdered by the said outrageous band of men, who carouse and roar night and day to her great disturbance.'

The lady petitioned that she should be left unmolested till it should appear in March next whether she was to bring forth an heir; and the Lords gave orders to that effect. Soon after, on hearing representations from both parties, four ladies—namely, the spouses of Alexander Walker and John Watson of Aberdeen, on Murtle's part, and the wife of Count Leslie of Balquhain and the Lady Pitfoddels, on Lady Drum's part—were appointed to reside with her ladyship till her delivery, Murtle meanwhile keeping away from the house.¹

If I am to believe Mr Burke, Marjory proved to have been under a fond illusion, and as even a woman's tenacity must sometimes give way, especially before decrees of law, I fear that Murtle would have her drummed out of that fine old Aberdeenshire château on the ensuing 1st of April.

Sir Robert Grierson of Lagg, the notable 'persecutor,' who had been not a little persecuted himself after the Revolution as a person dangerous to the new government, was now in trouble on

¹ Privy Council Record.

1694. a different score. He was accused of the crimes of 'clipping of good money and coining of false money, and vending the samem when clipped and coined,' inferring the forfeiture of life, land, and goods.

It appears that Sir Robert had let his house of Rockhill to a person named John Shochon, who represented himself as a gunsmith speculating in new modes of casting lead shot and stamping of cloth. A cloth-stamping work he had actually established at Rockhill, and he kept there also many engraving tools which he had occasion to use in the course of his business. But a suspicion of clipping and coining having arisen, a search was made in the house, and though no false or clipped coin was found, the king's advocate deemed it proper to prosecute both Shochon and his landlord on the above charge.

JUNE 22. The two cases were brought forward separately at the Court of Justiciary, and gave rise to protracted proceedings; but the result was, that Sir Robert and Shochon appeared to have been denounced by enemies who, from ignorance, were unable to understand the real character of their operations, and the prosecution broke down before any assize had been called.¹

Shochon was residing in Edinburgh in 1700, and then petitioned parliament for encouragement to a manufactory of arras, according to a new method invented by him, 'the ground whereof is linen, and the pictures thereof woollen, of all sorts of curious colours, figures, and pictures.'²

'Lagg'—who had drowned religious women at stakes on the sands of Wigton—had the fortune to survive to a comparatively civilised age. He died in very advanced life, at Dumfries, about the close of 1733.

APR. 10. Some printed copies of certain 'popish books'—namely, *The Exposition of the True Doctrine of the Catholic Church in Matters of Controversy*, *An Answer to M. Dereden's Funeral of the Mass*, and *The Question of Questions, which is, Who ought to be our Judges in all Differences in Religion?*—having been seized upon in a private house in Edinburgh, and carried to the lodging of Sir Robert Chiesley, lord provost of the city, the Privy Council authorised Sir Robert 'to cause burn the said books in the back-close of the town council by the hand of the common executioner, until they be consumed to ashes.'

¹ Printed informations in the case. Justiciary Records.

² *Acts of Scot. Parliament.*

Six months later, the Privy Council ordered a search of the booksellers' shops in Edinburgh for books 'atheistical, erroneous, profane, or vicious.'

We find the cause of this order in the fact, that John Fraser, book-keeper to Alexander Innes, factor, was before the Council on a charge from the Lord Advocate of having had the boldness, some day in the three preceding months, 'to deny, impugn, argue, or reason against the being of a God;' also he had denied the immortality of the soul, and the existence of a devil, and ridiculed the divine authority of the Scriptures, 'affirming they were only made to frighten folks and keep them in order.'

Fraser appeared to answer this charge, which he did by declaring himself of quite a contrary strain of opinions, as became the son of one who had suffered much for religion's sake in the late reigns. He had only, on one particular evening, when in company with the simple couple with whom he lived, recounted the opinions he had seen stated in a book entitled *Oracles of Reason*, by Charles Blunt; not adverting to the likelihood of these persons misunderstanding the opinions as his own. He professed the greatest regret for what he had done, and for the scandal he had given to holy men, and threw himself upon their Lordships' clemency, calling them to observe that, by the late act of parliament, the first such offence may be expiated by giving public satisfaction for removing the scandal.

The Lords found it sufficiently proven, that Fraser had argued against the being of a God, the persons of the Trinity, the immortality of the soul, and the authority of the Scriptures, and ordained him to remain a prisoner 'until he make his application to the presbytery of Edinburgh, and give public satisfaction in sackcloth at the parish kirk where the said crime was committed.' Having done his penance to the satisfaction of the presbytery, he was liberated on the 25th of February.

The Council at the same time ordered the booksellers of Edinburgh to give in exact catalogues of the books they had for sale in their shops, under certification that all they did not include should be confiscated for the public use.¹

In the austerity of feeling which reigned through the Presbyterian Church on its re-establishment, there had been but little

Apr. 16.

¹ Privy Council Record.

1694. disposition to assume a clerical uniform, or any peculiar pulpit vestments. It is reported, that when the noble commissioner of one of the first General Assemblies was found fault with by the brethren for wearing a scarlet cloak, he told them he thought it as indecent for them to appear in gray cloaks and cravats.¹ When Mr Calamy visited Scotland in 1709, he was surprised to find the clergy generally preaching in 'neckcloths and coloured cloaks.'² We find at the date here marginally noted, that the synod of Dumfries was anxious to see a reform in these respects. 'The synod'—so runs their record—'considering that it's a thing very decent and suitable, so it hath been the practice of ministers in this kirk formerly, to wear black gowns in the pulpit, and for ordinary to make use of bands, do therefore, by their act, recommend it to all their brethren within their bounds to keep up that laudable custome, and to study gravitie in their apparel and deportment every manner of way.'

From a poem of this time, in which a Fife laird, returned from the grave, gives his sentiments on old and new manners, we learn that formerly

We had no garments in our land,
 But what were spun by th' good wife's hand,
 No drap-de-berry, cloths of seal,
 No stuffs ingrained in cochineal;
 No plush, no tissue, cramosie,
 No China, Turkey, taffety;
 No proud Pyropus, paragon,
 Or Chackarally there was none;
 No figurata, water shamlet,
 No Bishop sattin, or silk camblet;
 No cloth of gold or beaver hats,

* * * *

No windy-flourished flying feathers,
 No sweet, permusted shambo leathers, &c.

And things were on an equally plain and simple footing with the ladies; whereas now they invent a thousand toys and vanities—

As scarfs, shefroas, tuffs, and rings,
 Fairdings, facings, and powderings,
 Rebats, ribands, bands, and ruffs,
 Lapbends, shagbands, cuffs, and muffs;
 Folding o'erlays, pearling sprigs,
 Atries, fardingales, periwigs;

¹ The authority for this is a very bad one—the scurrilous book called *Scots Presbyterian Eloquence Displayed*; but on such a point, with support from other quarters, it may be admitted.

² Calamy's Account of his Own Life.

REIGN OF WILLIAM III. 1689-1702.

Hats, hoods, wires, and also kells,
 Washing balls and perfuming smells;
 French gowns cut and double-banded,
 Jet rings to make her pleasant-handed;
 A fan, a feather, bracelets, gloves—
 All new-come busks she dearly loves.

The spirit which dictated these lines was one which in those days forced its way into the legislation of the country. In September 1696, an overture was read before parliament 'for ane constant fashion of clothes for men, and another for ane constant fashion of clothes for women.' What came of this does not appear; but two years later, the parliament took under consideration an act for restraining expenses of apparel. There was a debate as to whether the prohibition of gold and silver on clothes should be extended to horse-furniture, and carried that it should. Some one put to the vote whether gold and silver lace manufactured within the kingdom might not be allowed, and the result was for the negative. It was a painful starving-time, and men seem to have felt that, while so many were wretched, it was impious for others to indulge in expensive vanities of attire. The act, passed on the 30th August 1698, discharged the wearing of 'any clothes, stuffs, ribbons, fringes, tracing, loops, *agreements*, buttons, made of silver or gold thread, wire, or philagram.'

Two young men, Matthew M'Kail, son of an advocate of the same name, and Mr William Trent, writer, hitherto intimate friends, quarrelled about a trifling matter, and resolved to fight a duel. Accompanied by John Veitch, son of John Veitch, 'presentee of the signator,' and William Drummond, son of Logie Drummond, youths scarcely out of their minority, they went two days after—a Sunday having intervened—to the park of Holyrood Palace, and there fought—it does not appear with what weapons—but both were slain on the spot; after which the seconds absconded.¹

A preacher named John Hepburn, who had been called to the parish of Urr in Galloway, before the regular establishment of the church in 1690, continued ever since to minister there and in the neighbouring parish of Kirkgunzeon, without any proper authority. Enjoying the favour of an earnest, simple people, and cherishing

¹ Watson's *Collection of Scots Poems*, 1709.

² Privy Council Record.

1694. scruples about the established church, he maintained his ground for several years, in defiance of all that presbyteries, synods, and general assemblies could do for his suppression. Holding a fast amongst his own people (June 25, 1696), he was interrupted by a deputation from the presbytery of Dumfries, but nevertheless persisted in preaching to his people in the open air, though, as far as appears, without any outward disorderliness. It affords a curious idea of the new posture of Presbyterianism in Scotland, that one of the deputation was Mr William Veitch, a noted sufferer for opinion in the late reign.

The Privy Council took up this affair as a scandalous tumult and riot, and had Mr Hepburn brought before them, and condemned to give bond under a large forfeiture that he would henceforth live in the town of Brechin and within two miles of the same—a place where they of course calculated that he could do no harm, the inhabitants being so generally Episcopalian. Meanwhile, he was laid up in the Old Tolbooth, and kept there for nearly a month. There were people who wished to get in to hear him. There were individuals amongst his fellow-prisoners also anxious to listen to his ministrations. The Council denied the necessary permission. We hear, however, of Mr Hepburn preaching every Sunday from a window of his prison to the people in the street. He was then conducted to Stirling Castle, and kept in durance there for several months. It was three years before he was enabled to return to his Galloway flock.¹ The whole story reads like a bit of the history of the reign of Charles II. misplaced, with presbyteries for actors instead of prelates.

527. A crew of English, Scots, and foreigners, under an Englishman named Henry Evory or Bridgman, had seized a ship of forty-six guns at Corunna, and had commenced in her a piratical career throughout the seas of India and Persia. Having finally left their ship in the isle of Providence, these pirates had made their way to Scotland, and there dispersed, hoping thus to escape the vengeance of the laws which they had outraged. The Privy Council issued a proclamation, commanding all officers whatsoever in the kingdom to be diligent in trying to catch the pirates, 'who may probably be known and discovered by the great quantities of Persian and Indian gold and silver which they have with them,'

¹ A tolerably full detail of Mr Hepburn's persecutions is given in Struthers's *Hist. Scot. from the Union to 1748*. 2 vols.

a hundred pounds of reward being offered for apprehending ~~the~~ Bridgman, and fifty for each of the others.¹

Since the Reformation, there had been various public decrees ^{See} for the establishment of schools throughout Scotland; but they had been very partially successful in their object, and many parishes continued to be without any stated means of instruction for the young. The Presbyterian or ultra-Protestant party, sensible how important an ability to read the Scriptures was for keeping up a power in the people to resist the pretensions of the Romish Church, had always, on this account, been favourable to the maintenance of schools whereby the entire people might be instructed. Now, that they were placed securely in ascendancy, they took the opportunity to obtain a parliamentary enactment 'for settling of schools,' by virtue of which it was ordered that the heritors (landowners) of each parish in the realm should 'meet and provide a commodious house for a school, and settle and modify a salary to a schoolmaster, which shall not be under one hundred nor above two hundred merks [£5, 11s. 1d. and £11, 2s. 2d.].'² It was thus made a duty incidental to the possession of land in each parish, that a school and schoolmaster should be maintained, and that the poorest poor should be taught; and, in point of fact, the community of Scotland became thus assured of access to education, excepting in the Highlands, where the vast extent of the parishes and other circumstances interfered to make the act inoperative. The history of the commencement of our parochial school establishment occupies but a page in this record; but the effects of the measure in promoting the economic and moral interests of the Scottish people are indefinite. It would be wrong to attribute to that act solely, as has sometimes been done, all the credit which the nation has attained in arts, in commerce, in moral elevation, and in general culture. But certainly the native energies have been developed, and the national moral character dignified, to a marked extent, through the means of these parish schools—an effect the more conspicuous and unmistakable from the fact of there having been no similar institution to improve the mass of society in the sister-kingdom.

It is a rather whimsical association of ideas, that Sir David Oct. 18.

¹ Privy Council Record.

² Scots Acts, vol. iii.